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VOLUME X/NUMBER 4/October 1971

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Rural Development Programme in Fiji
by E. V. Davies

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by K. J. Davey

Land Tenure amongst the Nuba
by David Roden

Nationalization of Urban Local Bodies in India
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Local Government in the Gilbert and Ellice Islands, Part I
by Barrie Macdonald

BOOK REVIEWS
by A. H. M. Kirk-Greene, Dr. F. L. C. Apted, J. Gilhooly, J. A. Craig.

Published for the Foreign and Commonwealth Office, Overseas Development Administration

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Published by

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49 High Holborn, London WC1V 6HB

13A Castle Street, Edinburgh EH2 3AR 109 St Mary Street, Cardiff CF1 1JW

Brazennose Street, Manchester M60 8AS 50 Fairfax Street, Bristol BS1 3DE

258 Broad Street, Birmingham B1 2HE 80 Chichester Street, Belfast BT1 4JY

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Journal of Administration Overseas

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Editor's Notes

THE twenty four low lying islands of the Gilbert and Ellice Group contain, in all, some 55,000 people. Here, as in other Pacific islands the paternalism of colonial administration followed a highly centralised pattern and tended to be rather more personalized than in more densely populated dependencies elsewhere. In this Number we publish the first part of Barrie Macdonald's article on these islands and hear how government by pastor ruling by "christian laws" through committees of deacons replaced that of chiefs; how later centralised authority stultified initiative on the part of local officials. As late as 1930 under Grimble (then Resident Commissioner), an extraordinary authoritarian code was introduced to control the daily life of surely often very bewildered islanders; *inter alia* forbidden were "eating in sleeping houses, sleeping in eating houses," the curfew was fixed at 9 p.m. and lamps had to be carried by those who visited a latrine after that hour . . . and so on!

In contrast to these earlier days, is B. V. Davies' description of the rural development programme in Fiji, which has an important role in the nation-building of this newly independent multi-racial state about which we hope that Dr. France's introductory article in our July issue will have stimulated reader-interest.

How the public service of any country and particularly that of a newly independent state matches up to its responsibilities will always be influenced by the degree of political control exerted on the executives of government: "unwarranted interference" and "blind bureaucracy" can become dangerous catch phrases from one side or the other. Ken Davey describes the course of events since independence in the three States forming the East African community, in each of which the manner and the extent of political and party control of the public service has taken separate ways.

Local government in India is a State and not a Union responsibility, hence the wide variations under which the Panchayati Raj system operates. Many will surely agree with Mr Bhargava who, in his study of Indian municipalities, recommends the introduction of a uniform system for grading these urban bodies in a manner intended to stimulate the better management of their administration.

Finally, David Roden provides a detailed account of the little known land tenure system of the Nuba where "there has been a tradition of private occupance in response to distinctive social or economic conditions." New land shortages are, however, now being created in some areas and the solution to this problem would seem to lie in migration and in the intensification of local agriculture.

Administration of the Rural Development Programme in Fiji

By B. V. DAVIES

(Mr. Davies was Commissioner for Rural Development in Fiji, 1969-1970).

NEWLY-INDEPENDENT Fiji, at the hub of small emerging nations in the South-West Pacific,[1] has a population of 540,000, spread over 7,000 square miles of land. 43 per cent of the people are indigenous Fijians scattered throughout the 300 islands, 51 per cent are Indians descended from immigrants who came soon after the Cession of Fiji to Queen Victoria in 1874, to work mainly in the sugar cane industry, and there are several thousands of Europeans, Chinese, islanders from elsewhere in the Pacific and those of mixed descent.

Fiji's economic development has been based on three primary products; sugar, copra and gold. The contribution of these commodities to accelerated progress in the future will be much more limited. Since 1966, the rapid growth of tourism and the service industries have increased the gross domestic product at a faster rate than any country in Asia except Japan and Singapore. This poses a problem of possible imbalance in the economy which can only be countered by promoting more rapid agricultural and industrial development. Forty per cent of the Fijians are still mainly dependent on subsistence farming for their livelihood, despite their ownership of 84 per cent of the land, held by customary proprietorial groups. The rapidly advancing sectors of the economy are urban-oriented, and about one-third of the total population is now living in an urban or peri-urban environment. Development is not spreading evenly across the countryside and the comparatively high level of average per capita income, expected to increase at over four per cent a year during the next five years, conveys a statistically false impression of a more even distribution of income, than currently prevails.

The growing disparity between the urban and rural ways of life is reflected in, for example, education facilities and the quality of housing. The average income of the urban worker is twice that of his rural counterpart. There are some exceptions. Parts of the sugar cane belt are benefiting from more stable marketing conditions, from improved crop varieties and an award by Lord Denning in a recent arbitration which gave comparatively more of the proceeds of the industry to the growers compared to the millers. Some of the urban dwellers, particularly in the populous Suva peninsular, are less well-to-do, living in overcrowded tenements or "squatting" illegally.

[1] Western Samoa, Nauru, the Cook Islands and Tonga became Independent before Fiji on the 10th October, 1970. Their combined population is less than half that of Fiji. Western Samoa and Tonga have, with Fiji, become new members of the Commonwealth but, unlike it, have not joined the United Nations. The tiny Republic of Nauru has become the Commonwealth's first "special member".

Half the population of Fiji is under 16. The birth rate reached a high point of over 40 per thousand in the late 1950s, but has since steadily declined with the help of a successful family planning campaign, to less than 30 per thousand. The labour force is projected to grow from 150,000 in 1970 to 181,000 in 1975. As new employment opportunities are not projected to exceed 19,000 in the non-agricultural sector during the same period, there is likely to be either increased unemployment in the towns or, unless the productivity of farming households can be improved to absorb more workers, under-employment in the rural areas. The challenge to the policy-makers to devise measures to expand employment opportunities for the population "bulge" of the 1950s further highlights the importance of increasing agricultural productivity and to find other ways of providing an attractive life for those who cannot be employed in the towns.

These problems are typical of other developing countries, though they have their variations and appear in Fiji on a smaller scale. The Government has been mindful of them when preparing its new five-year Development Plan VI from 1971. It is promoting rural development and associating the country-dwellers, through locally-chosen representatives, with the planning and execution of small development projects affecting their well-being. The method of approach will be clearer if its immediate antecedents are briefly reviewed.

Approaches to the administration of rural development in 1968

The ministerial system was introduced in Fiji in 1967. About this time, four separate new approaches to the administration of rural development were being considered by different ministries.

Firstly, the Ministry of Natural Resources reviewed the land development policy of the 1960s. Following a pattern similar to that in Malaya, groups of farmers were settled on blocks of unused land, provided with roading, agricultural advice on new cash crops to grow and fertilisers to use, given credit, marketing, storage and managerial facilities and, in most instances, individual leases. The farmers were either Indian cane farmers moving to new areas after the reversion of land covered by their leases to Fijian owners, or Fijians settling on their own unused land. Generally speaking, the first group were successful but the second group experienced difficulties. This led to a review of the organisation required for settlement schemes.

The Land Development Section within the Ministry of Natural Resources, responsible for administering the schemes through the district administration with the help of district teams, was transferred to the Department of Agriculture. Responsibility remained with the same Minister but the administration of the schemes was no longer an integral part of his own office.

Recognizing that the failures of many new Fijian settlers to respond successfully to the opportunities offered to them to farm their land might partly be due to neglected social factors, such as sudden severance from village life, the Agriculture Department has given more attention to community development techniques. The emphasis now is on intensifying the cultivation of existing farms, not extending settlement to new areas.

Secondly, the Ministry for Fijian Affairs and Local Government considered ways in which the 14 Fijian provincial councils could expand in scope to cover non-Fijians. The Fijian administration, derived from a system of indirect rule through chiefs at the time Fiji became a British Colony, has become the instrument of the Ministry for servicing the provincial councils. But they encompass only Fijians and have such a limited income that they provide no services for their dissatisfied ratepayers.[2]

Attempts since the Second World War to introduce comprehensive rural local government have failed, partly because they proposed a continuation of the unsatisfactory institutional separation between Fijians in provincial councils and non-Fijians in new parallel local government councils; partly because of doubt in the minds of the people about the benefits from rate-paying when central Government services were usually free when available; and partly because of suspicion on the part of the political leaders about the relevance to Fiji of a foreign model of government. The examination of a new and acceptable local government system for all came to a halt in 1968. The political campaigning in a series of national by-elections to the Legislative Council temporarily embittered relations between Fijians and Indians to such an extent that it was impractical then to count on the inter-racial co-operation which is a prerequisite to successful rural local government in Fiji.

Thirdly, the Minister for Social Services was considering the formation of a separate Department of Community Development. Although community development principles had long been reflected in departmental programmes, they were never referred to as such. An early pilot project on the island of Moturiki showed no tangible results after the visiting multi-purpose team had left. For a long time, community development was viewed suspiciously. With the approach of Independence, there was renewed interest in systematising and extending the various Government-aided self-help programmes, possibly through a new Department.

Fourthly, the future role of the district administration was under consideration. In the 1950s, the district officer had been mainly concerned with judicial work, the management of Fijian schools, supervision of sub-accountancies, the administration of social welfare among the Indian people, self-help feeder-road or village water supply construction, and acting as agent for statutory boards and departments not then equipped with their own field personnel. Many of these duties were redistributed in the 1960s when more specialist staff were available. The district administration became involved instead in land settlement schemes under the direction of the Ministry of Natural Resources. In the late 1960s, the Agriculture Department, which was already giving extension advice to the farmers covered by these schemes, took over their day-to-day supervision. This freed the district administration to concentrate on co-ordinating the wider aspects of development within a district, not just the administration of settlement schemes.

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[2] Dr. F. J. West has written about this subject in this Journal in a two-part article on "The Establishment of the Fijian Administration, Part I Sir Lala Sukuna," and "Part II 1954-1965; Moves towards Reform," Journal of Administration Overseas Vol. V, No. 4, October, 1966, pp. 258-267, and Vol. VI, No. 1, January, 1967, pp. 43-49.

The Hunter Report on Rural Development

All these proposed organizational changes – land settlement schemes, local government, community development and district administration – were being pursued separately. The limited administrative resources available could not have coped effectively with such expanded efforts. Lack of co-ordination would have led to waste and confusion. With the help of the United Kingdom Ministry of Overseas Development, the Fiji Government invited Mr. Guy Hunter, a Director of the Institute of Race Relations in London, to "study and advise the Fiji Government on problems of rural development, and the implications for administration and co-ordination of Government Departments and services".[3] Mr. Hunter's report provided a basis on which the Government initiated a new approach to rural development, bringing together the strands of fragmented efforts.

The post of Commissioner for Rural Development[4] was established in the Chief Minister's Office to co-ordinate the preparation of the rural development programme using the district administration as his principal instrument. Apart from this post, the only additional staff were four divisional planning officers, one being attached to each of the divisional commissioners. The programme depended entirely on working with and through existing agencies.

These were the other principal recommendations in the report which were accepted –

> there should be no separate community development system with its own chain of command structure;
>
> there should be a co-ordinated chain of administrative action downwards from Central Government to the villager and farmer and a parallel but upward movement of participators and expression of need from the lowest level upwards;
>
> the subdivision of lands which do not require resettlement should be the responsibility of the Agriculture Department as a part of its extension programme, major resettlement schemes continuing to be the task of the independent Land Development Authority;
>
> simple operations' rooms, showing development progress on board displays, should be set up at national, divisional and district levels;
>
> a fund should be available for "pump-priming" small development projects.

A number of other recommendations have not been implemented. It has not been possible to avoid frequent transfers of administrative staff in the divisions. It has only been practical to attempt to plan development at district, not at sub-district level. The suggested experimental attachment of a man and woman team to the staff of the divisional commissioner, as trained "catalysts" in community work to perceive local needs and call up other

[3] Mr. Hunter's report, "Rural Development; Organisation and Administration", pp. 10, was published in May, 1969, as Council Paper No. 6.

[4] The post of Commissioner for Rural Development was superseded in October, 1970, by that of Secretary for Rural Development. It is currently filled conjointly by the Secretary for the Public Service, who is head of the civil service.

departmental help, was superseded by a wider if temporary use of scores of field workers to initiate a community development approach to the people. These are, however, comparatively minor variants to the recommendations contained in the report.

Aims and methods of the National Development Committee

The National Development Committee issued a statement on the procedure to be followed in initiating the rural development programme during the following year. The Committee comprises all the ministers with "development" portfolios under the Prime Minister's chairmanship. It has a parallel sub-committee of secretaries in the relevant ministries under the chairmanship of the Secretary for Finance. The Central Planning Office provides the secretariat.

The Committee, crystallizing the principal accepted recommendations in the Hunter Report, set out the following four aims in August 1969:—

> associate the people in the rural areas with the preparation and execution of district rural development programmes, to be regarded as an integral part of the National Development Plan from 1971;
>
> promote more self-help by the people for their own development;
>
> in the absence of comprehensive rural local government, to provide a framework for all rural people living in the same locality to work together for practical ends;
>
> co-ordinate more effectively the work of all agencies concerned with rural development.

Appendix I summarises the communications channels set up to carry out these aims and to prepare the rural development programme for 1971, described in more detail in the following pages.

Establishment of advisory councils

The first step to be taken to initiate the programme, coincidentally with a Chief Minister's press conference and radio broadcast to explain to the people the aims and methods of the new approach, was the establishment of a series of locally-chosen non-Fijian advisory councils to parallel the existing Fijian provincial councils. They replaced Indian advisory committees and multi-racial district committees, both previously nominated and appointed by the divisional commissioners. They gave useful advice on such matters as the administration of destitute relief but, being mostly elderly, they were limited as agents for stimulating development. The term "council" was used instead of "committee" to mark the change in their composition and function.

Public meetings were held in settlements[5] to explain procedures, but the method of enabling the people to choose their own advisory councillors varied from Division to Division, depending on the density of the non-Fijian

---

[5] The Indian country-dwellers live in scattered homesteads in settlements, unlike the closely-knit Fijian villages.

population. In Macuata Province,[6] councillors were chosen indirectly, through voluntary organizations with which Fiji is well endowed. There were 300 such groups covering co-operative societies, school and road committees, women's clubs and sundry welfare bodies. Macuata Province was divided by the divisional commissioner into 25 "constituencies". The president and one other representative from each group were invited to a "constituency" meeting. They selected a member to represent them on the advisory council. This indirect method of election through voluntary organizations produced many changes in membership from the previous nominated Indian advisory committees. Those selected are more representative and responsible local leaders.

In the Western Division, 72 "constituencies" were demarcated to provide members for six advisory councils. It was not possible to enumerate the multitude of voluntary agencies in the densely-populated sugar-growing areas. A public meeting was called by the district officer in each "constituency" to choose a local committee of five or six representative leaders. They selected their own chairman from among themselves, whom the divisional commissioner then appointed as the advisory councillor for that "constituency". Difficulties occurred in two areas where unsuccessful candidates complained that insufficient notice had been given to the public of the time and place of the meeting; the controversy sparked off more interest in the local newspapers than any other aspect of the programme.

In the Central Division, outside the populous Suva peninsular, the non-Fijian population is more sparse than elsewhere and no intermediary body was set up between the people in the settlements and their advisory councillor, who was selected at a public meeting, either by secret ballot or by the raising of hands. The non-Fijian population in the scattered islands of the Eastern Division are few, but they set up one advisory council in a way similar to those in the Central Division.

The administrative establishment of these non-statutory representative advisory councils improved the machinery for consultation with the people. The two-year term for both advisory and provincial councillors expires in mid-1971, when the next general elections are also due.[7] With increasing political sophistication in the rural areas, it may be necessary to follow more uniformly democratic procedures even if it will still be too soon to attempt to introduce comprehensive rural local government. It is of interest that a debate on the subject in the Legislature in June, 1970 indicated a preference by some politicians for the indirect electoral method used in Macuata Province, based on voluntary organizations.

[6] Macuata, in the Northern Division, is one of the 14 Provinces into which Fiji is divided for purposes of the Fijian (not District) Administration. It has a population of 11,000 Fijians, 35,000 Indians and 1,500 Others. The large Indian community is mainly engaged in the sugar industry.

[7] Except for one provincial council, no candidates stood for any "constituency" on Party Lines. Simultaneously with the inauguration of advisory councils and rural development committees, however, the ruling Alliance Party set up its own parallel political network of district councils, comprising local representatives from its three component groups – the Fijian Association, the Indian Alliance and the General Electors' Association. The political support of the Federation Party, which is in opposition, comes from the areas of more concentrated Indian population.

Briefi ng of councillors in operations' rooms

A National Operations' Room was established early in 1969 in Suva, located near the Prime Minister's Office which is responsible for its use and maintenance. It contains basic development information on 15 large mobile display boards, reflecting the work of different official agencies, and various other visual aids and statistical indicators. The Room is used regularly for meetings of the National Development Committee, and for briefing such groups of people as V.I.P.s from overseas, departmental officials or representatives of voluntary organizations interested in development programmes. This facility has also been established in a small way in the 18 districts where simple display boards cover local development organization and achievements.

In September 1969 the new councillors were invited to visit their local operations' rooms. The senior field official in each district explained his departmental programmes and policies, indicating specific ways in which assistance can be offered. The purpose was partly to sow the seeds of new thinking prior to a nationwide series of village-level meetings, and partly to set the practical limits to which central Government can assist. These talks were partially successful. Clear and imaginative exposition and use of visual aids demands skills not always present in field workers. But the briefing sessions set the context for the programme and helped to spread a better understanding of mutual problems.

Village-level meetings

A nationwide series of village-level meetings was organized over several months at the end of 1969 and early in 1970. It was accompanied by a few radio programmes and the distribution of guidance leaflets to the councillors. The meetings were conducted by the councillors[8] with the help of field officials, mostly from the Department of Agriculture or from the district and Fijian administrations. These officials received a crash course in extension methods in the Fiji School of Agriculture. The meetings were designed to probe and define problems, plan solutions and promote group action to overcome them. Where outside assistance was required, this was to be clarified and, where possible, linked to a departmental programme.

In some Divisions, extension workers were able to guide the people to recognize that many of their problems should be dealt with by themselves, outside assistance being sought for well-defined purposes. In many areas the meetings became request sessions for Government action without local effort, such as taking over farmers' debts, posting nurses to nearly every village in a district, providing free house sites or lending money for lorries and lawn-mowers without security of repayment.

It was of course ambitious to expect all the field officials, let alone rural communities, to become rapidly converted to the principles of self-help, or to produce new, well thought out and productive, if small-scale, development projects. If this was the expectation, there was inevitable disappointment.

[8] Being elected local representatives, the councillors are unpaid. Central Government contributed $F1 a night as a subsistence allowance for time spent away from home leading these discussions.

While it was hoped that the results of the approach might have been more constructive in producing more feasible agricultural projects instead of demands for roads, water supplies and social services, the meetings were educative. They stimulated thinking; helped to define problems whether or not they could be overcome; and yielded ideas for some practical community projects.

The results of the village meetings – over a thousand throughout Fiji – were summarised by the visiting teams and councillors on coloured forms. If a proposed project was entirely community self-help in content, it was recorded on a green form; if Government-aided, on amber; but if it was simply a request for Government to finance and execute it, then the project was described on a red form. Summaries of these coloured forms provided the agenda papers for council meetings in April, 1970.

Provincial and Advisory Council Meetings

Provincial council meetings were usually held three times a year. Because of their very limited financial resources, they are prone to pass endless resolutions seeking central Government help on a variety of projects without being able to carry out their own. The former Indian advisory committees, without any rate-levying powers at all, followed a similar pattern. One of the purposes of the rural development programme is to educate the councillors to recognize the practical framework within which departmental programmes must operate on the one hand, while persuading departmental officials, on the other hand, to adjust their measures wherever practicable to meet the defined community needs.

The proposed projects for inclusion in district rural development programmes, emerging from the planned series of village meetings, were summarized under different categories for administrative convenience. These categories with the administering authority are summarized in Appendix II. Councillors were asked to consider, with technical advice from the relevant department, those projects to which they attached the highest priority, having regard to practicality, benefit in relation to cost, the local community contribution where relevant and the responsibility for maintenance on completion of a project. Some councils specifically recommended priorities in some districts but, in others, they limited themselves to general comments.

The separate provincial and advisory councils selected from among themselves an equal number of members to sit on 18 new multi-racial district rural development committees, in order to bring together for the first time locally-chosen representatives of all communities to examine future projects.

The formation of the new rural development committees

The next step in the upward channel of communication was the formation of 18 district rural development committees. They brought together the selected representatives of the 14 provincial and 15 advisory councils at a level near enough to the people for them to feel a sense of participation, but not covering so small a population that it would be uneconomic for official agencies to give advice and practical help. They ranged in size from a four-

man committee covering the all-Fijian Yasawa islands with a population of only 4,400 to the 14-man committee covering the Greater Suva Rural Area with a population of nearly 70,000.

Rural development committees, under the chairmanship of the divisional commissioner as the only official member, were asked to review the proposed projects submitted to them by the provincial and advisory councils and assess priorities based on the same criteria as those which guided the councils. Above all, they had to consider practicality based on the resources available to the community or to the agency providing assistance. The committees were advised by locally-based officials. Depending on the scale and nature of the proposed project, they decided whether to proceed with it immediately or whether to recommend action or further investigation by a Government department. Councillors were expected to keep their constituents informed of progress and the reasons for rejection of any proposal. In all divisions, the co-ordinator throughout this sifting out process was the new divisional planning officer. Members of Legislative Council, whether from the ruling Party or the Opposition, were invited to attend these meetings as "advisers" within their own parliamentary constituencies.

The National Development Committee prepares the Development Plan

Simultaneously with the sifting out of possible projects in the districts, the National Development Committee met regularly to draft the sectoral framework of the next five-year Development Plan from 1971. They evaluated past performance and reviewed policies on about 20 different areas of activity covered by the Plan. The proportion of public expenditure on small-scale rural projects is comparatively small. The proportion spent on all facets of rural development is much bigger; it is impossible to draw an exact line between the amount of money which promotes rural as distinct from national or urban development. The rural development programme can only identify and include within it the more limited area of specific rural projects, amounting to less than 10 per cent of the capital budget.[9]

The priorities set in the Plan are similar to those in the past – agriculture, industry and tourism – though comparatively more emphasis is being given to agriculture. This is partly to absorb the surplus labour force, to promote locally-grown foodstuffs as import substitutes to save valuable foreign exchange, and to check the growing imbalance of incomes between the rural and urban populations.

The funds available for planning Government-aided rural projects for the 1971 series of the 18 district rural development programmes, and their proposed geographical distribution to the four administrative divisions, became clear in the step-by-step preparation of the National Development

[9] The new five-year Development Plan provides for a public sector investment of $F75 million. Two projects – the improvements to the 130 mile road link between Nadi International Airport and the capital of Suva, to be financed largely by a World Bank loan, and the rebuilding of the Lautoka Hospital in Western Viti Levu, to be financed mainly by a U.K. grant from the Commonwealth Development and Welfare Fund, will take up one quarter of the public sector expenditure.

Plan during the first half of 1970. This information provided the practical framework within which the four divisional rural development committees, comprising locally-chosen representatives from the district committees, could ensure inter-district balance and co-ordination.

The preparation of district rural development programmes or Red Books

The divisional development committees held their inaugural meetings in August, 1970. Aware of the expected contributions to the different categories of rural project to be included in district programmes for 1971, whether from communities or from official agencies, the four divisional development committees were able to reach conclusions. Agreed projects, including those emanating from departmental initiative, were shown symbolically in District Book Plans (known as Red Books on the Malayan pattern). Some Cabinet Ministers attended these divisional meetings to maintain a close personal link between their ministries and the peoples' representatives.

These Plans measure about three feet by two feet. They have a base district map, generally on a scale of 1:50,000, with four tracings as overlays to depict projects in the four principal areas of rural development: land development; communications and works; social services; and commerce, marketing and co-operatives. The tracings were prepared by departmental field officials. Summaries of the projects are kept in the Book Plans, with copies in the divisional and national operations' rooms. The tracings, interspersed with printed instructions on their preparation, can be readily torn out and replaced.

The preparation of the programmes of the rural development committees was completed just before Independence in October 1970. The four divisional commissioners presented their Red Books to the National Development Committee in the National Operations' Room for approval. This was a formality because all projects, so far as Government funds were concerned, were devised within a practical framework of resources available. The presentation, however, gave ministers an up-to-date if brief picture of the content of the programmes. This was followed by a ministerial press conference to explain to the public the progress made, and to invite inspection of the Book Plans.

Categories of project in the rural development programme

Most of the programmes for aiding self-help projects listed in Appendix II, are well established, though there are some comparatively new areas of activity, such as island fisheries, village tree-planting, local handicrafts, the construction of self-help minor works and the site-planning of new rural centres. The programme did, however, bring all the diverse variety of possible community projects into focus in the Red Books at district level.

Two main areas of project activity emerged as meetings of rural development committees proceeded. The first covered measures designed to contribute directly to increased productivity and the standard of living of the rural people. The second covered the various minor works, minor services and minor communications which are normally provided by rural local government councils.

The first of these areas is more complex. It includes the variety of measures necessary to facilitate land development; better marketing, new development roading, ready credit facilities, improved land administration, speedy access to agricultural inputs of all kinds and wider training of farmers in farm management. Some projects in this area are straightforward – village tree-planting to provide a future generation with domestic timber, a new small manganese mine, fishery schemes on outer islands to add to the source of income from copra, or even small rice irrigation channels. But the challenging task of devising measures to convert the subsistence Fijian farmer into a participant of the cash economy is not something that can merely be left to unofficial rural development committees to resolve. It demands far more planning, thought and study by the Agriculture Department, in conjunction with others, than has yet been given to the problem.

The second principal area of project activity coincides with that normally covered by effective local government councils if these exist. Community roading, footbridges and sea-walls, grants for school buildings, establishing pounds for wandering animals, erecting markets, bus shelters or community centres, establishing and maintaining cemeteries – these do not depend so much for success, as does agricultural development, on fundamental changes in social attitude or the provision of co-ordinated facilitating measures. They can be comprehended and their priority assessed by rural development committees without considering technical *data* in a number of inter-related fields. There was therefore much more progress during the year in preparing and executing small-scale infrastructural development schemes than in promoting new agricultural development schemes.

Looking to the future, it will be wise to draw a clearer distinction between these two areas of project activity. The rural development committees could increasingly be prepared to take over full responsibility for projects of a local government character, being empowered to levy rates for this purpose. But their decision-making powers in the area of land development must inevitably be limited. Success in this must depend on much more initiative being assumed by teams of departmental officials at divisional and district levels, well served by those in central Government concerned with development economics, land administration and utilization, marketing and the national strategy for development roading, tree-planting, education and sea transport. The provision of all this knowledge in the Central Planning Office or its offshoots, followed by its decentralization to divisions, would lead to the more effective planning and use of the physical, human and natural resources available.

Supplementary funds for rural development

The National Development Plan includes $1 million to support new rural projects outside existing departmental programmes, to be administered flexibly in accordance with varying needs. In 1970, $4,000 was allocated to each of the four divisional commissioners to use on self-help minor works projects which would promote permanent community assets. These included markets, footbridges, community centres, community farm roading, sea-walls and village electrification. They are usually projects which are too complex for rural people to carry out entirely on their own, or too small for

the Public Works Department to be able to assist flexibly. With the help of four Peace Corps volunteers,[10] it is planned to expand this programme five-fold in 1971.

The development project which village meetings indicated as being everywhere the most deeply desired by the people was roading. Clearly the development planners cannot suddenly expand roading to the detriment of many other nationally-assessed goals. But the supplementary funds will provide room for flexibility from year to year. Capacity will be enlarged by setting up a new small additional rural road-building unit, costing $F62,000, to construct roading where the shortage of plant would otherwise prevent this. The roading programme will be carried out in accordance with the approved district rural development programmes.

The rural development supplementary funds are being used in 1971 partly to expand the provision of new community assets by self-help and partly to extend rural roading more rapidly. It may be that rural development committees will assess a different set of priorities in 1971 for the 1972 district development programmes. In the meantime, the funds are helping to strengthen these committees as embryonic multi-racial local government councils.

Follow-up meetings with the people

It is a comparatively easy task to explain to councillors, with the help of the board displays in an operations' room and the Red Books as visual aids, the development programme to be carried out in the ensuing year. It is more difficult to explain the reasons why many proposals made by them earlier in the year could not be accepted for inclusion. It will be equally challenging to encourage them to elicit a constructive response from their constituents to the formulation of new and more practical alternative projects for the future.

Advisory and provincial councils will consider their own strategy for approaching the people. Teams of officials will be ready to provide support. The district officers will maintain a record of the coverage of the communities in their areas so that any gaps can be filled. The target is for every community to be visited within the six-month period before rural development committees start to meet again to review progress in 1971 and to prepare new programmes for 1972.

The formation of district programmes will be an annual cyclical process. Councillors will submit projects for consideration by the rural development committees. Those which can be carried out will be included in the Red Books for the ensuing year. Coincidentally, the committees will follow up the execution of projects in the current year. Some self-help projects must not of course be delayed to await consideration by a committee or inclusion in a Red Book. Many depend on spontaneous community initiative and will be frustrated if delayed.

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[10] This programme for aiding self-help construction of minor works in rural areas, with the advice of district development committees, resembles closely that described in a recent article in this Journal by Robert A. Miller, "District Development Committees in Malawi: A Case Study in Rural Development," *Journal of Administration Overseas*, Vol. IX, No. 2, April, 1970, pp 135-136.

Co-ordination

This article has commented on the methods followed in pursuing the first three aims set by the National Development Committee; associating the rural people more closely in the planning process, extending community self-help and instituting a framework for bringing local leaders together to consider common problems. The fourth aim was to promote improved co-ordination.

The upward and downward channels for co-ordination are clear. The four divisional commissioners are responsible to the Prime Minister. They are each assisted by a divisional planning officer. They were in continual contact with the Commissioner for Rural Development, in the Prime Minister's Office, as each step in the inaugural year's programme unfolded. The divisional commissioner leads a team of divisional heads of department. These generally represented the Agriculture, Forestry, Lands, Education, Co-operatives, Medical and Public Works Departments. Occasionally there are non-Government participants from unofficial agencies. The divisional planning officer is secretary. At district level, the district officers lead district teams with a similar composition. These teams of field officials parallel the divisional and district rural development committees and help to guide and advise them. There was a tendency for the teams to be too diffident in the face of the stress laid on the decision-making importance of the newly-elected rural development committees. As indicated earlier, new measures for land development of all kinds must depend more for their initiation on official agencies.

The staff of district administration, designated as the instrument of co-ordination in the districts and to guide the upward-downward flow of communications, has been put to a severe test by its inexperience and constant staff movements. This has compromised its effectiveness in relation to some technical departments in some districts. These difficulties can only be overcome by fewer staff changes, more in-service training and the infusion of some better-qualified staff into the ranks of district administration.

At the centre, the Commissioner for Rural Development was a member of the Development Sub-Committee engaged in the preparation of the National Development Plan, working alongside secretaries to the ministries concerned with development. He served as a focus for rural projects. The Central Planning Office, an integral part of the Ministry of Finance, provided the secretariat for the preparation of the Plan.

New ministries are being created after Independence. Instead of only four, the number concerned with rural development may be seven or eight. The problem of co-ordination to ensure smooth execution of the new Plan will grow. The rural development section of the Prime Minister's Office, mainly concerned until now with co-ordinating the preparation of the district rural development programmes in co-operation with central and local agencies, could evolve into a more general co-ordinating secretariat, such as for the expanding and varied adult education activities. Located in the Prime Minister's Office and equipped with information about the aims, programmes and problems of all agencies concerned with executing rural development, it could be an instrument for resolving inter-ministerial or inter-departmental

conflicts, for ensuring smooth administration and removing obstacles, besides evolving new ideas.

Conclusion

The benefits of the rural development programme during its inaugural year are more intangible than tangible; the promotion of participation in the development planning process at different levels; improved understanding of problems both by officials of felt needs and by the people of Government's limitations; multi-racial harmony in discussing common problems; clearer understanding of departmental aims and programmes. But there are also some new material assets from community self-help to add to the projects which would have been carried out if there had been no new approach to the people. All this has contributed to nation-building and has laid the foundations for accelerated rural development.

The advent of Independence to Fiji will increase the aspirations of the people and present new challenges to policy-makers and administrators. The new institutions should be able to play a vital role in helping to meet the stress of these challenges.

Appendix I

The communication channels for the Rural Development Programme.

National Development Committee
(in the National Operations' Room)

(Proposals of the districts are examined and approved in Red Books)

Approved Red Book plans are returned to district operations' rooms for execution

Divisional Rural Development Committee
(in four Divisional Operations' Rooms)

(Proposals of the districts are examined and co-ordinated)

with one purpose

District Rural Development Committee
(in 18 District Operations' Rooms)

(proposals of provincial and advisory councils are examined and co-ordinated. Departmental programmes of projects are included)

with one mind

The 15 non-Fijian Advisory Councils and the 14 Fijian Provincial Councils

(Proposals of the people's representatives are examined and co-ordinated)

with one understanding

The Council Member

(The people's proposals are examined and co-ordinated)

for development with

The rural people

Appendix II

Categories of Government-aided rural projects for 1971, with the administering authority

Administering Authority	*Category of rural project*
Agriculture	irrigation demonstration farms land settlement research plots fisheries coconut planting food processing etc.
Commerce and Industry	rural industries, including handicrafts
Co-operatives	improvement to or expansion of existing co-operatives new co-operatives
District Administration	aided self-help minor works cemeteries community centres community roads ferries jetties (river) markets pounds recreation areas river clearance of obstacles rural electrification (with Fiji Electricity Authority) village housing schemes
Education	establishment of new schools school building grants
Fijian Administration	maintenance of country tracks Fijian provincial development or commercial ventures
Forestry	saw-mills departmental afforestation village tree-planting
Lands	village site planning new "town-planned" rural centres
Libraries	libraries, including book boxes
Marine	beacons jetties (sea-shore) reef-blasting
Medical	new nurses' and rural medical stations village latrines
Mines	projected mining development
Police	new Police posts
Posts and Telegraphs	mail carriers postal agencies radio telephones

Appendix II (continued).

Administering Authority	*Category of rural project*
Public Works	minor works (beyond resources of self-help labour)
	village water supplies
	settlement bore-hole supplies
	upgrading and bitumenising roads
	new development roads.

Local Bureaucrats and Politicians in East Africa

By K. J. DAVEY

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INDEPENDENCE completed the transfer of formal power from the appointed official to the elected representative, from the bureaucrat to the politician. In Tanzania, Uganda, and Kenya this coincided with a final transformation of local government which envisaged a parallel transfer at district or regional level. The process was designed to leave the local councillor wielding much of the discretion and responsibility in most cases previously shared between government field officers and chiefs.

In none of the three East African territories does the local councillor today occupy the position visualized at Independence. This paper examines briefly some of the ways in which the influence of bureaucrats and politicians has changed at local level over the last eight years.

Pre-Independence Policy

Local administration in colonial East Africa followed the familiar pattern of British Dependencies, that of an unintegrated, prefectorial system. Services were provided by Government field agencies under officers who were responsible to parent specialist departments and who were also members of a co-ordinating team under the chairmanship of the District Commissioner. The latter combined this role with particular responsibility for law and order, certain branches of revenue collection and miscellaneous residual functions, and with the oversight of the chiefs and local councils. Much of his influence over professional departments arose from his intermediary position between them and these "native authorities". The main agents below district level were the chiefs, vested with police and magisterial powers and responsible for law and order, tax collection and general promotion of developmental policy. Their powers and functions were comparable throughout East Africa, though the basis of employment varied: largely customary and paid by local treasuries in Tanganyika, wholly appointed and paid by Government in Kenya, appointed in Uganda but through consultation between the Administration and traditional rulers in the four kingdoms, and again paid from local treasury funds. Local councils were associated with the administration at varying levels, the proportion of representative members gradually increasing during the 1940s and 1950s. District Commissioners had been Chairmen of the District Councils in Tanganyika and Kenya (apart from the European settled areas) and of their vital Standing Committees in Uganda.

The transformation of this system owed formal inspiration to the Colonial Secretary's 1947 Dispatch,[1] although beginning earlier in practice. Its

[1] Dispatch to African Governors by the Secretary of State for the Colonies, dated 25th February, 1947.

culmination was marked by legislative changes – the application of the Tanganyika Local Government Ordinance to 52 local authorities in the first half of 1962, the Uganda Independence Constitution and Local Administrations Ordinance of the same year, and the "Majimbo" Constitution and Local Government Regulations in Kenya in 1963 – and concurrently by major transfers of services such as primary education, medical services and rural water supplies to local government in all three countries. The underlying policy was enunciated in documents such as the Wallis[2] and Munster[3] Reports in Uganda and the MacKenzie[4] and Kent[5] Reports in Tanganyika. Principal features relevant to this paper were:

(a) the conversion of local authorities from representative and regulatory bodies into service providing institutions;

(b) in consequence, the devolution to them of local services, partially financed by a crude mass income tax (known as the "local rate" in Tanganyika);

(c) a preponderance of directly elected members on Councils; *ex-officio* and nominated members or representatives of "special interests" being relegated to a small minority or deleted altogether;

(d) the withdrawal of the District Commissioner from a supervisory role;

(e) the conversion of the chiefs into civil service executives of the Council (or Regional Assembly);

(f) the acquisition of qualified professional staff, where necessary by secondment.

In all three countries, the Minister responsible for Local Government (or the Regional Government for a short interval in Kenya) had default powers enabling him to take over functions from a local authority if it was failing to perform them efficiently. Except in the case of the five Federal State Assemblies in Uganda, the Minister could dissolve or suspend inept councils. But the procedure was hedged about with the need for inquiries, warnings and time for compliance, opportunity to make representations, resolutions of the National Assembly, and so on. It was clearly a weapon of last resort. Ministers in Kenya and Uganda, and Regional Commissioners in Tanzania, had strong powers of budgetary control, but their exercise was essentially negative and could involve trials of political strength. Local councillors were vested with very real discretion and control over a wide range of services closest to the population and, except in Kenya, over the vitally influential cadres of junior administrators. Clearly, the main hope of discipline over councils lay in their direct accountability to the electorate.

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[2] C. A. G. Wallis: Report of an Inquiry into African Local Government in the Protectorate of Uganda, 1953.

[3] Report of the Uganda Relationships Commission, 1961.

[4] W. J. M. Mackenzie: Report of the Special Commissioner appointed to examine matters arising out of the Report of the Committee on Constitutional Development, 1953.

[5] A. W. Kent: Report on Services to be Administered by Local Authorities in Tanganyika, 1962.

Post-Independence Reaction

The pattern did not last long unscathed. Most dramatic was the abolition of Regional Governments (an intermediate tier between central and local government) in Kenya in 1964 and of the federal status of the four kingdoms and Busoga District in Uganda in 1967. These systems were aberrations from the pre-independence development of local government – alien to the design and concessions to pressure; their disappearance is relevant to this article only insofar as it affected the general political climate of devolution. Widespread changes in local government institutions concerning accountability, decision making, responsibility for services and staffing will receive closer attention.

The local government legislation of 1962–3 stressed the predominance of directly elected members. At least 90 per cent of District Councillors in Uganda and two-thirds of County Councillors in Kenya had to be elected. In Tanzania, the number of non-elected members could not exceed ten (admittedly a substantial minority in a few small councils). Subsequent legal change and electoral manipulation have left Kenya with Councils consisting entirely of Kanu nominees returned unopposed (without primaries) in 1968, and Uganda with ministerial appointees comprising the whole of the urban and four district councils and substantial parts of the other fourteen prior to their dissolution after the 1971 *coup d'etat*. Up to the *coup* the Minister had also appointed the Chairmen and Vice-Chairmen of the Uganda Councils and their political leaders, the Secretaries – General and Assistant Secretaries-General, from panels of names submitted by the Councils. Paradoxically, it has been Tanzania, the first one-party state in East Africa, which has continued to leave its electorate some choice, but then only between two candidates nominated by TANU. Moreover, the Chairman of the TANU District Executive Committee becomes *ex-officio* Chairman of the Council.

A second casualty has been local powers of decision making. In Uganda' legal amendments in 1966 empowered District Commissioners to give directions to Councils; the 1967 Local Administrations Act transferred this to the Minister, but District Commissioners have been left with strong and detailed control over expenditure and with orders to attend most committees to tender advice. Convening and agenda of Council meetings require the Minister's approval. The new financial structure introduced in 1968, while giving Authorities far greater resources to develop services, ensures that they do so within targets and criteria approved by interested Ministries. Restored as the official channel of communication between Ministries and Local Authorities, the District Commissioner has considerable influence over the use of these controls.

The chief weapon of constraint in Tanzania has been the District Development and Planning Committee. This is a Committee of the Council, but comprises the Area Commissioner as Chairman, the government officers in charge of ten district departments (agriculture, medical, works, etc.), the Chairman of the Council, local M.P.s and the members of the Finance Committee. Technical officers are strong numerically. An amendment to the

Local Government Ordinance "deems" councils to have delegated responsibility to this committee for matters related to development of their social services, like schools and dispensaries, economic projects such as roads, forests, cattle dips, and water supplies. Although the Council still votes its development estimates, they are prepared by the Committee which also proposes use of the substantial Rural Development and Self Help grants from Government. Expenditure of funds from all three sources tends to be supervised by the technical officers on the committee. The professional voice is well represented in the crucial area of district resource allocation, although its relative strength depends upon personalities and the solidarity of the local politicians.

Kenya has put far less formal restraint upon Council freedom of decision, and a proposal of the 1967 Sessional Paper on the Hardacre Report[6] to give District Commissioners a temporary veto on the implementation of unauthorized decisions, was defeated by the National Assembly. There have been strong links between the leadership of Councils and the KANU back-bench in Parliament, and political antipathy to restoring the tutelage of the Provincial Administration might be expected. The Council's powers have been curbed less directly by withdrawal of responsibility for services and by a series of financial measures which have made them dependent on arbitrary grant awards.

Thirdly, local councillors have lost further power through a reduction in their responsibility for services. The Kenya Government has recently resumed direct control of primary education, road maintenance, and health services in the rural areas and appropriated the County Councils' main revenue source, the Graduated Personal Tax; since the Councils in Kenya do not employ the chiefs, their residual functions are meagre. In Uganda, Government has taken over the employment of primary teachers (though not primary education generally), the technical maintenance of water supplies, and those District Council activities which duplicated or supplemented its natural resources departments. This curtailment has been offset, though, by a financial settlement in 1968 which has enabled far speedier development of services remaining to local authorities. The Tanzania Government has taken over the employment of teachers, the running of Health Centres and the maintenance of district roads from January, 1970 and has concurrently abolished the local rate and produce cesses which provided District Councils with three quarters of their direct income.* (The local courts have also been integrated with the national judiciary throughout East Africa, but this is the culmination of long standing policy).

A final area of considerable change has been staffing. Pre-independence policy recognized that the Councils' performance of their enhanced roles would depend substantially on the quality of their staff, and stressed the need for attractive conditions of service and career prospects, together with an appointment system insulated from political interference and nepotism.

[6] Sessional Paper No. 12 of 1967: "Proposed Action by the Government of Kenya on the Report of the Local Government Commission of Inquiry".

* *These sources of revenue have been replaced by a Government grant – urban rates have not been affected – Ed.*

Conventional emphasis was placed upon the readiness of councillors to accept professional guidance and of officers to implement decisions and propagate policies contrary to their advice and opinion. Control by an impartial and central Local Government Service Commission was recommended in all three territories. Practice and policy have varied and vacillated. Tanzania did most and earliest. A Unified Local Government Service was created at the beginning of 1963. Direct appointment of all staff earning over £420 p.a. (apart from the field administration) and the right of appeal to it by more junior staff conferred stability at a time of rapid political change. Conditions of service have compared equally, or even favourably, with Government's; the starting salary of a graduate is £154 p.a. higher, and the generous superannuation terms are more popular than civil service pensions. Transferability and the invariable posting of Chief Officers away from home districts have helped to protect them from local involvements and pressures.

This vigorous policy has not applied to the field administration. The hereditary chiefs lost official powers in 1961 and 1962 and were succeeded by divisional, sub-divisional and village executive officers with similar functions, but employed and appointed by Councils with the approval of the Regional Commissioner. They were excluded from the Unified Service and from the purview of the Commission. In 1965, with the creation of the One Party State, an attempt was made to bring them into the Unified Service. Circulars were issued stipulating salaries, gradings and qualifications. The proposal was abandoned in the face of opposition based apparently on fear for the loss of local patronage and for the fate of existing staff of low qualification. A start has now been made on replacing Divisional Executive Officers with Divisional Secretaries employed by Government as a projection of its Regional Administration. (Divisions are the next level below Districts). Like their superior Regional and Area Commissioners, they are political appointees not civil servants, combining administrative co-ordination and leadership with supervision of TANU Branch Secretaries at their level. Village Executive Officers are being replaced by a smaller cadre of Ward Executive Officers with a larger jurisdiction, who remain employees of the District Council.

In Kenya, Councils have retained entire discretion over the appointment, dismissal and service conditions of their staff, save only for the requirement of ministerial approval for the appointment of Chief Officers and their Deputies and budgetary control over salaries. Although the 1967 Sessional Paper, already mentioned, accepted the Hardacre Commission's recommendation that a Local Government Staff Commission be established, the necessary legislation has not been submitted to Parliament. Government has, however, provided an extensive training programme for local authority officers at the Kenya Institute of Administration.

Although the field administration is divorced from local government in Kenya, its experience is relevant. Chiefs and Sub-Chiefs were formerly appointed and employed directly by the Provincial Administration. In 1964 fresh selection machinery was introduced. A committee consisting of the

District Commissioner as chairman, the M.P. for the District, and the District Chairman of KANU, shortlisted three candidates from among the applicants. These were then voted upon by the public in open *baraza*.* The Committee's recommendations, the popular vote, and the Provincial Commissioner's comments were then forwarded to the President's Office, where the final selection was made (chiefs falling within the Permanent Secretary's delegation from the Public Service Commission). More recently, District Commissioners have been given discretion to dispense with the open baraza and to choose alternative methods of sounding public opinion, such as consulting Area Council or KANU Executive members.

At Independence, all District Council staff in Uganda, including chiefs, were selected and disciplined by Boards appointed by the Governor from panels of names submitted by the Councils; members could not be Councillors themselves. These Boards had replaced Appointments Committees of the Councils which had been found too "political". The Governor's approval was required for decisions involving middle and senior ranks of officers and chiefs. His powers in both respects were temporarily transferred to the Minister, but it was agreed at the constitutional conferences that these should be vested in an impartial Regions Service Commission, sharing the eminence and detachment of the Public Service Commission. The Commission appointed in 1963 however, consisted largely of ruling party activists; it remained advisory to the Minister for two years, and the executive powers at last vested in it in 1964 were promptly resumed by the Minister by legal amendment in 1965. The Federal States, meanwhile, had their own Public Service Commissions and managed to obstruct central surveillance up to the suspension of the Independence Constitution in 1966. Under the 1966 Constitution authority was given to the Uganda Public Service Commission, with some delegation to district sub-committees. The 1967 Constitution established public services for the Government, District Administrations and Urban Authorities, appointed by the President on the advice of the Public Service Commission but with provision for delegation to District Service Committees. The latter exist but no formal delegation has been made, so that all decisions, including temporary replacements for ailing office messengers, are made by the President on the advice of the Commission. In April 1970 the President declared an intention to appoint parish and village chiefs from "panels of names submitted by the people of the area concerned through an election"; this was to last for three years as a prelude to full election, but had not been given effect when the Obote Government fell.

The Pressures

Reaction against the extent of devolution accompanying Independence arose from both political and bureaucratic pressures. Both must be mentioned to convey a balanced picture.

Firstly, in Uganda, and in Kenya also, the horizons of local councillors were still bounded by visions of the tribal native state and pre-occupation

* *Public meeting appropriately describes a baraza of this type – Ed.*

with its status and aggrandisement. The policy of democratizing local before national government had diverted anti-colonialism into struggles for local and regional autonomy, seen also as a defence against domination by other tribal groups. Institutions based on an English model combining extensive devolution with clear subordination became enveloped with an ethos and a diffusion of power which were quite alien to them. The conflicts experienced by Kenya and Uganda at the beginning of their statehood over "majimbo" (regionalism) and federalism, branded political devolution as disruptive and reactionary. Moreover throwing crucial resource allocation into the market of local politics uncovered a hornet's nest of factionalism. This, far from relieving national governments of responsibility, cast upon them an added burden of arbitration, which severely strained their strength and solidarity.

Local representative councils (though not fully elected) had evolved long before African opinion was fully expressed in national institutions. To some extent colonial governments had been anxious to cultivate local council opinion in order to legitimate policies which required positive acceptance and behavioural change on the part of local people. For example, it was left to Councils to pass by-laws enforcing standards of soil conservation or rural sanitation which could legally have been covered by central legislation. The Uganda Government's policy of land consolidation and title was only applied to districts such as Kigezi, where it had been endorsed by the Council. Popularly elected governments did not necessarily accept this restraint. To them, victory at the polls conferred its own legitimacy upon their policies, and in their eagerness for progress and results they were not prepared to move at the pace of the slowest. This did not mean, however, that they could afford to tolerate and ignore hostile local council opinion; readiness for open conflict with councils, too, was tempered by the importance of individual local councillors in the ruling party's power base; the need was underlined to ensure that they spoke with one voice.

Similarly, expatriate civil servants had seen dialogue with councils as a means of bridging a communication gap with local people. Their African successors, confident of a standing with their clientele based on common origin but wider culture, felt less compulsion and more resentment at the constraints this imposed upon their initiative. The bureaucrats sought to by-pass councils, the national politician to manipulate them.

Moreover, the policy of devolution and direct accountability required patience in government to let councils buy their experience. This, in turn, assumed that the electorate could distinguish between the responsibilities of central and local government and could attribute blame correctly. Even if this were possible, once a single party ruled at both levels failure at either could discredit the whole regime.

Bureaucratic pressure was predictable. Few people enjoy loss of power, particularly in favour of those whom they consider less educated and well intentioned than themselves. Riggs[7] describes an "interference complex": the politician, incapable of formulating policy as opposed to goals, and of

[7] F. W. Riggs: *Administration in Developing Countries*, 1964.

controlling a resentful and contemptuous bureaucracy, strives to consolidate his authority by intervention in areas which the administrator considers his own – in appointments, contracts or the application of rules to individual cases. It is, of course, by such interventions that power has traditionally been asserted and ascribed. Moreover, weak formation and articulation of public opinion lessen pressure for the bureaucratic norm of uniformity, encouraging the individual to seek favoured case treatment from the politician and the latter to afford it, though crossing the formal boundaries between policy and implementation. Whatever other features of the "prismatic model" may be inapplicable to the East African scene, this one has a familiar ring; the writer remembers "interference" and "misunderstanding" as most overworked expressions during the first years after Independence.

Great bureaucratic pressure has come, too, from a sense of scandal at the way in which local authorities have run the services devolved upon them. This has been partially because of genuine incompetence and irresponsibility leading to such overt failures as the absence of drugs in dispensaries, the damaging of brand new machinery beyond repair, or the absence of cash to pay teachers. The fiscal elements of local government reform had placed great reliance upon extracting more from direct personal taxation, to relieve national treasuries hard pressed by the extra commitments of Independence. Calculations of the potential yield of such taxes or the political and administrative capacity to realise it, were not always realistic. Independence was scarcely the best moment for improving direct taxation, often the focus of anti-colonial agitation. People were expecting new benefits, not extra burdens. Maintenance and development of local authority services were frequently undermined by revenue shortfalls[8].

Civil service deprecation of local authority performance has been due also to other and more debatable factors. One is the context of decision-making by rural local authorities. Decisions are made largely in committee, with civil service advisers outnumbered. Issues are rarely complex and the committee can cope with the volume of business; a sub-committee can examine the bursary needs of every secondary school pupil from the district. Councillors have as much local knowledge as their advisers – more, if the latter are seconded or posted to the District. This is in contrast to a central ministry where the volume and complexity of business, the procedure and the weight of numbers result in the majority of decisions being taken either by the civil servants or within a range of information and alternatives selected by them.

Related to this is a difference of values and goals aptly described by Colin Leys[9] as a contrast between national leaders seeing issues "in the context of an overall transformation of society" with mutually stimulating growth in all sectors of life, and local people unable to visualise such

[8] At the end of 1964 nine out of fifteen Federal States and Administrations in Uganda had accumulated deficits totalling between them £887,000. At the end of 1966 fifteen out of thirty-three Kenya County Councils were similarly in the red, to a total of £1,180,000.

[9] Colin Leys: *Politicians and Policies*, 1967.

transformation or its possibility but viewing "government activity as a dispenser of benefits," providing marginal improvements in their present way of life and opportunities of further income to be competed for by individuals and groups.

Three examples can be given of the professional attitude to local authority performance and services. Road maintenance by rural authorities is generally regarded as poor, owing to inadequate expenditure per mile. In Uganda this averaged £71 per mile in 1968 – about a quarter of that of the Ministry of Works. In Tanzania, also in 1968, the wealthiest council, Kilimanjaro, spent only £30 per mile on district roads and £5 on local roads. Local people pressed their councils to extend the network by building new roads and taking village tracks under official care. Ministry of Works professionals have argued that this would only dilute maintenance standards further and have urged councils to bring their present system into repair before adding to it. The Ministry official, however, is a car driver; pot-holes, mud and corrugation are a source of discomfort and expense to him as well as an affront to his professional standards. The state of a road matters less to the villager whose opinions bear on the councillor. He wants a road so that someone else's lorry or ambulance can take his coffee to the godown or his child to the health centre. To him the existence of a road is paramount, its condition marginal.

Arguments in Uganda on proliferation of health centres and dispensaries have followed similar lines. Local authority and self-help ambitions have tended to outpace government's output of medical assistants and qualified nurses; those councils who have not been deterred by this have had to fall back on the only cadre they produced themselves, the dresser. According to Ministry of Health rules, dressers are not qualified to give an injection. In Uganda, at the beginning of 1968, there were 71 permanent rural medical units staffed entirely by dressers, who not only treated patients but prescribed treatments and diagnosed ailments as well. Professional opinion is that such a unit should not be opened until better staff are available. Councillors argue that two or three hundred people a day obtain treatment which most otherwise would not receive, since statistics suggest that only a small minority of dispensary patients will travel more than five miles; that every faulty diagnosis or prescription is outweighed by several successful treatments and that there are no more complaints about rural dispensaries than hospitals.

A third source of controversy has been the expansion of primary education, with councils seeking to meet popular demand for places and Ministry officials trying to restrain growth through concern over the low qualifications of teachers and the growing unemployment of primary leavers, backed by official, ECA inspired policies giving priority to secondary development. The restraint has been least successful in Kenya, where it conflicted with the KANU aims of universal primary education. In 1968 the percentages of children of primary school age in public schools were: Kenya 65 per cent, Uganda 46 per cent and Tanzania 36 per cent. Whereas Uganda and Tanzania devoted the school fees income to building maintenance, equipment and text-books, Kenya spent only 15s. per pupil per annum

on this, the balance going to pay more teachers. Similarly, Kenya parents were left almost entirely to construct and furnish buildings, whereas both Tanzania and Uganda subsidized their efforts with money and materials. Again, Kenya maintained a one-teacher-per-class ratio, while Uganda allocated eight or nine staff to a seven-class school. In Kenya, where councils have been allowed their head, expenditure has been concentrated on providing more teachers for more classes with minimal contribution to other educational costs; in Tanzania and Uganda stricter Ministry influence and control have imposed a lesser coverage with better facilities.

Most of the disputes arise from a choice between quality and quantity. The local politician would argue that the quality of a service is immaterial to those who are totally unserved. Once a council has decided against official advice to open a new school, dispensary or road, the professional can rarely persuade a Minister to intervene. Whether or not the latter also views the action as irresponsible, he is not going to incur the opprobrium of disappointing the public. Direct control and exclusion of the local politician become the civil servant's only hope of imposing his standards.

This view was reinforced by the inadequacy of local authority staff in the years immediately after Independence. It was not necessarily because the councils had failed to acquire able African officers in the formative period. In many cases they had done so before other branches of the public service, so that the surge of Africanization immediately after Independence created irresistible opportunities for senior local authority officials. Of fourteen chief executive officers of Uganda District Councils at Independence, only four remained in office eighteen months later. Half had obtained senior positions in the civil service, three later becoming Permanent Secretaries.

The most conflicting pressures and confused reforms of policy have surrounded the role and control of the field administration. The legal transformation has taken place in that chiefs have formally lost their law-giving to the legislators, their magistracy to an integrated judiciary, and their representative functions to M.P.s and Councillors. Yet these curtailments have not always been entirely appreciated by ordinary people or by the chiefs themselves. The degree of traditional ascription of authority has, naturally, been of great significance.

I have described some of the continual changes in the method of appointing the chiefs (and their modern equivalent, the Tanzania executive officers) which have been a common experience of the three countries. These convey the importance which governments have continued to attach to them, and the conflicting views of their role and desirable attributes. The change from Appointments Committees to Appointments Boards in Uganda in 1959 and the transfer of responsibility to the Public Service Commission in 1966, or the attempts to absorb divisional and village executive officers in the Unified Service in Tanzania, arise from stress on the civil service virtues of integrity, impartiality and skill in carrying out administrative tasks, particularly those like law enforcement and tax assessment, which are quasi-judicial and bear most directly and vitally on individual members of the public. The baraza voting system in Kenya and the abortive proposals for popular nomination

in Uganda reflect a desire for chiefs to exercise popular leadership in the promotion of development policies requiring positive effort and behavioural change on the part of local people. The subsequent option to dispense with baraza voting in Kenya, the wholesale replacement of chiefs in Buganda after the Kabaka's return in 1955, and again after his overthrow in 1966, the failure to include executive officers in the Tanzania Unified Service in 1965 and the more recent introduction of Divisional Secretaries, stemmed from the need for the field administration to provide a loyal and reliable base for the security of the state and its ruling party. It is not surprising that none of the countries has discovered a pattern with which it has been satisfied for long.

Conclusion

And so the bureaucrat has held or recovered much threatened ground. District Commissioners in Uganda again supervise local authorities, financially in more detail than ever. Professionals, such as the District Medical and Education Officers, were still responsible to Council Committees up to the 1971 dissolution but could more easily obtain intervention by their Ministries or District Commissioners if their advice was ignored. The Kenya Provincial Administration has maintained its prestige and eminence throughout; all local departments of any significance are now vertically responsible to Nairobi. Reforms which strengthen control by Ministers rather than field agents also give extra weight to civil service opinion and channelling. Leadership is again expected of chiefs. Councils have not only lost power, but also in Kenya and Tanzania, the focus of popular allegiance provided by a mass personal tax.

Some of this experience has been repeated in Tanzania, but within a different overall pattern. Local authority powers and functions have been curtailed*, but in favour of a network of party and administrative institutions which remains both politically and regionally based. Indeed, devolution has steadily increased, with Government departments strongly influenced by Regional Commissioners and a growing share of the budget put at unfettered local disposal.

Devolution has not been seen to present any threat to the unity and stability of Tanzania, with its smaller tribes (apart from the Sukuma) and often smaller districts, its democratization of central before local government, the strength of Swahili as a common tongue and the unchallenged position of TANU at Independence, conditions all in contrast with those of its neighbours.[10] With a land area five times greater than Uganda and most of its populous areas on the periphery, with a density of 35 people to the square mile, and a per capita income half that of Kenya, Tanzania's poverty of resource, manpower and communication has made decentralization and popular mobilization the more urgent.

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* *Recently District Councils have been empowered to form District Development Corporations which can obtain loan finance from the Rural Development Bank to start rural commercial enterprises – Ed.*

10 Significantly the only major political clash between central and local government has been in Buhaya, an area close physically, ethnically and culturally to the former Uganda kingdoms.

One of Tanzania's first legislative acts after independence placed political commissioners at the head of its Regions (formerly provinces), who were also to be TANU Regional secretaries. The appointment of political area commissioners in charge of districts followed rapidly, but not before legislation had effectively separated the judicial from the executive powers that political appointees inherited from their civil service and mostly expatriate predecessors.

The new Commissioners, particularly at area level, were largely recruited from the TANU hierarchy of provincial and district chairmen and secretaries. They have been largely replaced, frequently by civil servants. More recently appointed Regional Commissioners are mainly seconded Principal Secretaries or men of equal professional standing. Departmental officers are strongly entrenched in the crucial Regional and District Development Committees. Recent amalgamations of village development committees and the substitution of Ward for Village Executive Officers, have resulted in these covering on average three times the former population and area. This reorganisation has arisen from bureaucratic criticisms of their inefficiency as planning units and the low calibre of their personnel, but sacrifices the political advantages of communication and identification derived from greater closeness to the people.

The application of the British town hall model combined with political mobilization to enhance the power of the local politician prior to Independence. This could only be at the expense of civil servants and chiefs; self-interest and conflicts of values bred resentment in the bureaucrat except where inspired leadership could overcome it with ideological commitment. The attitudes of national politicians have been more ambivalent. A recent study of the Ivory Coast[11] has demonstrated how ephemeral was the identity of interest between national leaders and the local politicians whom they harnessed to the struggle against the French or at the polls. Once similar victories had been won, a comparable gulf of policy and goals opened in East Africa. When time and experience laid initial suspicion of the civil servant, governments have found him a more reliable agent than the local party member or councillor. Yet the latter could not be ignored so long as the party as a whole was under any threat of competition.

Will this analysis continue to hold good? It depends, for one thing, on the continued validity of a distinction between bureaucrats and politicians. Will the blurring of these roles in Tanzania since 1965 be repeated in Kenya and Uganda now that the latter are also in practice one-party states? It has focussed on a local political leadership, low in education and narrow in vision. The results of the 1969 Kenya elections, together with the opportunities outside the civil service offered by the Africanization of commerce, may portend the growth of a political class better equipped to control the bureaucracy. There will surely be fresh challenges to its remarkable resilience.

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[11] Article by M. Staniland in *Politics and Change in Developing Countries* (ed. C. Leys), 1969.

Local Government in the Gilbert and Ellice Islands 1892-1969*—Part 1

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THE Gilbert and Ellice Islands Colony has always been administered on a minimal budget. Exports from the Gilbert and Ellice group[1] – a line of drought-prone atolls and reef islands stretching across the equator in the central Pacific Ocean for a distance of almost a thousand miles – have, to date, been almost solely confined to coconut products. The 24 islands, none of which has an altitude in excess of 15 feet and with a total land area of less than 120 square miles, currently have a population of some 54,000. The phosphate industry on Ocean Island, established in 1900, has not only provided wage-earning opportunities for several hundred of the islanders, but has also contributed substantially to the Colony's revenue – at a rate of approximately 50 per cent of revenue (excluding aid) since the 1920's. Economically, the Colony will face serious problems in about seven years' time when the phosphate deposits are exhausted.

It should be noted, too, that there are marked ethnic differences between the 46,000 Gilbertese and 8,000 Ellice Islanders, and significant cultural variations within each group. Levels of contact with European ideas and technology have also varied among the islands. While more than three-quarters of a century of British rule may have established some degree of administrative uniformity, the individuality of the various islands has by no means been destroyed.

By 1892, traditional forms of social and political organization in the Gilbert and Ellice groups had been significantly modified in response to a wide range of external influences. In more than 50 years of contact whalers, traders,

* Research into the history of the Gilbert and Ellice Islands Colony has been conducted under the auspices of the Department of Pacific History, The Australian National University. I wish to thank the Government of the Gilbert and Ellice Islands Colony for permission to consult official records and for other assistance received in the course of fieldwork in the Colony in 1969.

1 The interest of this paper is confined to the Gilbert and Ellice Islands *per se* – the groups which were declared to be British Protectorates in 1892. Other islands which were subsequently included in the Gilbert and Ellice Islands Colony – Ocean Island, the northern Line Islands, the Phoenix Islands and the Tokelaus – are all special cases and would have to be discussed separately. Niulakita, the southernmost Ellice Island, which was virtually uninhabited until after the Second World War, may also be disregarded. It is now run as a plantation by the people of Niutao, and administered from that island. South Tarawa, Colony headquarters since 1946, has been directly administered for the past 15 years and has therefore been excluded for that period.

labour recruiters, missionaries and naval commanders had all, in various ways, stimulated change in the island governments.[2]

Butaritari, the island most visited by trans-Pacific shipping, had developed into the major commercial centre with 21 foreign residents 20 of whom were, at least nominally, traders. Together with Makin, a small island to the north, Butaritari was ruled by a single *uea*, or high chief, assisted by a council of his own choice. Traders were levied £20 a year for licences and the laws, made by the *uea* and enforced by his police, carried heavy fines. Apart from a few Roman Catholic exceptions, the island was a Protestant enclave with a law for compulsory church attendance.

The islands of Marakei, Abaiang, Tarawa and Maiana were characterised by political instability throughout the 19th century. On each, two or more rival *uea* constantly struggled for precedence resulting in frequent outbreaks of war. On Abaiang, Kaiea and his successors enjoyed a tenuous supremacy from about 1860, but only at the expense of numerous wars on Abaiang and the neighbouring island of Tarawa. Throughout these islands various *uea* sought to impose mission-inspired laws, and to charge for trading licences, but with limited success.

Tem Binoka, the *uea* of Abemana, Kuria and Aranuka died in 1891 to be succeeded by his brother Timon and, a few months later, by Bauro, the latter's son. Tem Baiteke, Binoka's father, had reduced the people of Aranuka and Kuria to virtual slavery in 1863 and, following upon his father's campaigns, Binoka had welded the three islands into a despotic monarchy. Traders and missionaries were seldom tolerated and the group was ruled by the whim of Binoka until his death.

In the southern Gilbert Islands, government was centred on the *maneaba*, or meeting house, in which the *unimane*, or old men, met in council. Both Nonouti and Tabiteuea were divided into several constantly feuding *maneaba* districts. Although Catholic and Protestant missions had established bases on both islands the majority of the population was pagan in 1892; customary laws and punishments were still enforced.

Traditionally the five southernmost Gilbert Islands – Beru, Onotoa, Nikunau, Tamana and Arorae – had also been governed under the *maneaba* system but, within a decade of their arrival in 1870, the representatives of the London Missionary Society (L.M.S.) had completely altered the pattern of island government. Mission committees, meeting under the guidance of a pastor, quickly assumed power. "Christian" laws were promulgated, island police were appointed and fines, usually divided among the pastors and deacons, levied for breaches of church discipline. The traditional framework of district and island councils was retained but the councillors were henceforth dependent on the church for their authority.

[2] See Maude, H. E., *The Evolution of the Gilbertese Boti, An Ethno-historical Interpretation*, Polynesian Society, Memoir No. 35, Wellington, 1963; and *The Evolution of Local Government in the Gilbert Islands, An historical reconstruction*, TS, 1960, for descriptions of local government in the Gilbert Islands prior to 1892 and "Papers respecting the Declaration of a British Protectorate over the Gilbert Islands by Captain Davis, of Her Majesty's ship 'Royalist'; and General Reports upon the Gilbert, Ellice, and Marshall Islands'," Foreign Office Confidential Print, No. 6269, for an excellent account of the islands of the Gilbert and Ellice groups in that year. Unless otherwise stated the brief summary that follows is drawn from the above works.

A similar transformation had occurred in the Ellice Islands. Prior to the arrival of the L.M.S. pastors in 1865 the islands of the group had been governed under a chiefly system with an informal rotation of high office among two or more chiefly families on each island.[3] By 1875 the power of the *tupu*, or chiefs, had been usurped by the pastors who ruled through committees of deacons; the church had become the source of all power within the group and the focus of all social activity.[4]

After approaches had been made to the Foreign Office by the German Government in 1891, the British Government agreed to extend its protection to the Gilbert and Ellice Islands. Heavy indebtedness at Butaritari and other northern islands, disorder, the need for control over labour recruiting and obligations under the Anglo-German agreement on spheres of influence in the Pacific were, albeit reluctantly, considered to be sufficient reasons for action to be taken.[5]

II

Because of the judicial duties that would be involved, Thurston, the High Commissioner, chose as the first Resident C. R. Swayne, a Stipendiary Magistrate with 14 years' experience in Fiji. Swayne was instructed to collect the laws of the various islands with a view to producing a consolidated code. Although the island governments were to be left largely to their own devices the Resident would, from time to time, introduce "simple laws and regulations for the better conduct of their affairs".[6] In addition, Swayne was to prepare a simplified local government "constitution" broad enough to provide for the diversity of conditions in the groups. Continuity and simplicity were essential given the extremely limited means at the Resident's disposal. The Colonial Office was emphatic that the Gilbert and Ellice Islands were in no way to form a charge on Imperial Funds.[7] When the existing island governments had agreed to the appointment of a Resident, each had been asked by Thurston to guarantee a contribution towards the salary of a Resident and the cost of administration.[8]

The separate *Native Laws* of the Gilbert Islands and Ellice Islands, drawn up by Swayne, were published in 1894 after they had been submitted to the High Commissioner for approval.[9] On the islands from Butaritari

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[3] Kennedy, D. G., *The Culture of Vaitupu, Ellice Islands*, Polynesian Society, Memoir No. 9, New Plymouth, 1931, p. 2; Roberts, R. G., "Te Atu Tuvalu, A Short History of the Ellice Islands", *Journal of the Polynesian Society*, Vol. 67, 1958, pp. 394-423; Smith, Percy, "The First Inhabitants of the Ellice Group", ibid., Vol. 6, 1897, pp. 210-1.

[4] Murray, A. W., *Forty Years' Mission Work in Polynesia and New Guinea*, London, 1876, pp. 375-423.

[5] S. of S. to H.C., Confidential, 5th April, 1892 (with enclosures), WPHC, Confidential Despatches from S. of S.

[6] H.C. to S. of S., Confidential, 31st August, 1892, WPHC, Confidential Despatches to S. of S.

[7] S. of S. to H.C., No. 8, 13th March, 1893 (with enclosures), WPHC, Despatches from S. of S.

[8] H.C. to S. of S., No. 28, 2nd September, 1893, WPHC, Despatches to S. of S.

[9] "Native Laws of the Gilbert and Ellice Islands", 1893, WPHC, Miscellaneous Papers, General; H.C. to S. of S., No. 22, 13th June, 1894, WPHC, Despatches to S. of S.

(with Makin) to Abemana (with Aranuka and Kuria) the High Chief was made responsible for the good order of the island while in the south the *maneaba* governments were recognised with councils of Kaubure (a term derived from the Samoan "faipuli", or councillor) being placed in charge. Native Magistrates were to be appointed for each administrative unit. They were to retain sole responsibility for judicial decisions although they could use up to six Kaubure as assessors, and were required to consult a jury of twelve in the event of a murder trial. Magistrates, scribes and police were all to be paid from an Island Fund, which was to remain under the charge of the Scribe, who was also to be responsible for keeping island records. Fines, as well as an annual levy on landowners were to be paid into the Fund. There were to be monthly meetings of the Kaubure with the High Chief or, in the south, an elected chairman, as president.

The laws were based largely on those prevailing in pre-protectorate times. including sabbath observance, but introducing compulsory school attendance, Fines (up to £5) and imprisonment (up to 2 years) were the punishments provided. The death penalty was abolished for all crimes save that of murder. The custom of compensation, an important aspect of customary law, was recognised only in cases of adultery and fornication with the betrothed wife of another man, with maxima of £20 and £10 respectively. The island governments were also empowered to "make Regulations for the good order and cleanliness of the island", with maximum punishments for breaches of such regulations of 10/– or one month's imprisonment.[10]

The constitution provided for the Ellice Islands was similar to that for the northern Gilberts. A High Chief was recognized on each island, Native Magistrates were to be appointed, and the laws were identical.[11] This similarity serves to illustrate the scope of Swayne's law code. It did little more regarding the constitution of the local authorities than lay down broad guidelines which could be interpreted and adapted in accordance with the custom of each island.

Under the laws the powers of the Resident were, in theory, extremely limited. His only formal role was to confirm or commute death sentences. It was stated, however, that High Chiefs or Kaubure could apply to the Resident at any time for advice or assistance. In practice, Government officers tended to interfere as they saw fit in their attempts to introduce some degree of impartiality, efficiency and conformity in the island administrations.

The formalization of local government which the laws implied, and certain new concepts which were introduced, tended to make the period of adjustment a lengthy one. Punishments, for example, were changed. Land confiscation was prohibited and imprisonment, hitherto unknown in the islands, was introduced. More significantly, perhaps, the attempt to separate judicial and administrative functions was completely opposed to custom (although the L.M.S. had recently tried to make such a division on some islands). The islanders did not believe in such a separation and so tended to

[10] *Native Laws of the Gilbert Islands*, Suva, 1894.
[11] *Native Laws of the Ellice Islands*, Suva, 1894.

regard the Native Magistrate as the head of both branches – a process that was encouraged by District Officers and was later incorporated in the laws.

In the Ellice group the erosion of chiefly authority begun by the L.M.S. was completed by governmental innovations. Mrs Edgeworth David, as an observer on Funafuti in 1897, wrote:

> I tried hard to see the advantage of being a king in Funafuti, but couldn't. The king's hut was not as good as the native pastor's, his clothes were no better than those of his subjects; and his food was the same – cocoanut, fish and taro. He had only one voice in the making of laws on the island, and seemed to look up to the Samoan pastor as an authority in things temporal as well as spiritual. He certainly received a salary of five dollars per annum from his subjects (that is, one-tenth of what is considered necessary for the pastor), and he had a fair amount of cocoanut and taro land, but less than some of his subjects. Since the island has been under British protection the king is a nominal king only, an ornamental, but not very expensive, head to a nice little republic.[12]

The influence of the L.M.S. was further consolidated in the Ellice when the *Native Laws* were printed in Samoan rather than Ellice. The two languages had much in common but Samoan was the only written language taught in mission schools. When supervising the election of Magistrates, Swayne insisted that candidates should be able to read the laws in Samoan.[13]

While Swayne's particular brand of paternalism did not show the authoritarian trends that were to characterize later administrations, he none the less believed in close supervision of the island governments. Precedents that he established were to be the guide-lines for local administration in the groups for more than forty years. Swayne began by organising the selection of all officers for the island governments, making their appointments subject to his confirmation. On those islands where the administration was to be by Kaubure, a Chief of Kaubure was elected as president for a period of two years – a compromise between a desire for administrative continuity and the reluctance of the Gilbertese to accept a position superior to that of their fellows.[14] In the interests of administrative convenience hamlets spread through the islands were consolidated into villages, and individuals were discouraged from living on their lands.

Although some islands adapted quickly to the new regime administrative efficiency was not easily established, and political instability was by no means eliminated. At Marakei and Tarawa the old chiefly rivalries continued. At the former island the High Chief and Kaubure were deposed in 1894, after the former had used his position to settle traditional scores. The High Chief was exiled for a period of two years, and the Kaubure were collectively fined

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[12] David, Mrs. E., *Funafuti, or three months on a coral island*, London, 1899, pp. 118–9.

[13] R.C. to H.C., Ellice No. 4, 17th January, 1895, WPHC, Inward Correspondence, General, 42/1895.

[14] R.C. to H.C., Gilberts No. 3, 19th January, 1895, ibid., 41/1895. This procedure was not strictly in accordance with the provisions of the *Native Laws*.

£200.[15] At Tarawa, Tem Metang, the *uea* recognized as High Chief by Davies in 1892, was exiled under similar circumstances in 1895 leaving the way clear for his rival Tem Tekanaiti to assume power.[16] Instability and chiefly rivalries remained a feature on the northern islands until a succession of administrators had succeeded in reducing chiefly power in favour of the Magistrates. In the southern Gilberts the constitution was quickly adapted to the pre-protectorate situation. Until Swayne drastically reduced their numbers the *unimane* of the islands were all elected Kaubure and combined to form island councils, achieving little more than discussion in their monthly meetings.[17] With the advent of the Roman Catholic mission in the Gilbert group religious rivalries were carried into local politics while in the southern Gilberts it was some time before the Samoan pastors could be dissuaded from collecting fines for breaches of church discipline.[18] Swayne's visits to the Ellice were infrequent and consequently his control was limited. Deacons of the L.M.S. were generally synonymous with the Kaupuli. A strong Magistrate backed by the church met with little opposition and often enjoyed absolute power.[19] Old rivalries between leading families still surfaced occasionally resulting in "palace revolutions" and the election of new island governments.[20]

III

The appointment of William Telfer Campbell as Resident Commissioner in 1896 marked an increase in the control exercised over the island administration. A Northern Irishman with a military background, and administrative experience in New Guinea, Campbell believed in direct and absolute control over the islanders and their governments. He immediately introduced flogging for drunkenness and assault, to show that the laws were to be obeyed. When the High Commissioner declined to approve use of the lash in cases of drunkenness, Campbell had the island governments pass an appropriate regulation.[21] Considerable lack of understanding still existed on many islands as to the roles of the various local officials. By constant touring, and the appointment of "suitable" persons to office, Campbell succeeded in moulding the governments to his pattern. Land registers were compiled for each island and a land tax was introduced. Campbell's basic taxation system has remained in force, with some modifications, until the present day, and remains as one of the primary sources of local revenue. The grouping of the population in villages was continued; houses of standardized design, with separate kitchens and reef-latrines, were a feature of the new villages. Dissi-

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15 R.C. to H.C., Gilberts No. 13, 30th December, 1893, enclosed in H.C. to S. of S. No. 8, 20th February, 1894, CO 225/45; Gilberts No. 79, 7th Auguast, 1894, WPHC, Inwards Correspondence, General, 198/1894.

16 R.C. to H.C., not numbered, 1st July, 1895, ibid., 215/1895.

17 R.C. to H.C., Gilberts No. 79, 7th August, 1894, loc. cit.; Gilberts No. 3, 19th January, 1895, loc. cit.; R.C. to H.C., Gilberts No. 1, 2nd January, 1897, WHPC, Inwards Correspondence, General, 76/97. Eg., at Nonouti the No. was reduced from 186 to 32.

18 R.C. to H.C., Gilberts No. 6, 21st December, 1893, WPHC, Inwards Correspondence, General, 22/1894.

19 See, for example, Resident to H.C., not numbered, 7th July, 1895, ibid., 216/1895.

20 R.C. to H.C., Ellice No. 8, 15th December, 1896, ibid., 68/1897.

21 See Correspondence in WPHC, Inwards Correspondence, General, 214/1896.

dent persons were imprisoned, or removed to Tarawa, the new headquarters. A Protectorate police force, composed largely of Ellice Islanders, and led by Fijians, was established at Tarawa.

Campbell could not have achieved such results unassisted. The financial position of the Protectorates had improved with the passing of a drought and the introduction of improved tax-collection procedures. Approval was accordingly given for the appointment of a Clerk and Chief of Police in 1896. The "Queen's Tax", paid to Protectorate funds, and island salaries and expenses were both deducted from local taxation. The balance was paid into the Island Funds. Campbell argued that the unsatisfactory state of the islands and the growth of these Funds justified their being utilised for the payment of Government Agents to supervise the island governments. Alternatively he wanted to increase the amount of the Queen's Tax and have the Agents placed on the Protectorate staff.[22] Official approval for the payment of Government Agents from Island Funds was not granted until 1899, but in practice several had been acting in that capacity for some three years; the most notable being George Murdoch, who was to remain a stalwart of the administration until 1914. Even earlier Swayne had appointed retired traders to supervise the collection of the trading debts in the northern Gilberts and for some years Clarke, the supercargo on the s.s. Archer, had acted as tax collector for the Ellice.[23]

Constant touring by Campbell and his staff resulted in a high degree of control and conformity. It also established the principle that the word of a European officer was law. By 1908 a standard set of Island Regulations (passed by the island governments under section XVI of the 1894 *Native Laws*) had been introduced in all islands from Butaritari to Tabiteuea.[24] It is of interest that of the sixty regulations no fewer than one-third contravened the maximum penalties prescribed by law. The regulations effectively controlled most aspects of island life, and were rigorously enforced by the Kaubure. Huge prisons erected under the supervision of Murdoch still stand in the central Gilberts as eloquent reminders of the early days of British rule in the group.

In order to carry through his policies Campbell increased the powers of the Magistrates, at the expense of the High Chiefs, and insisted on the appointment of younger men as Kaubure to replace the *unimane*. The policy no doubt had its advantages, but to Arthur Mahaffy, touring the group as Assistant High Commissioner in 1909, it had definite drawbacks:–

> The Kaubure are now recruited from among the younger men who may be supposed to be more progressive, less dilatory, and less wedded to ancient customs and methods but who are certainly less interesting and have less authority among the people. It is, I fancy, a rare thing for any of the modern Kaubure to differ from the opinion of any European

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[22] R.C. to H.C., No. 18, 9th June, 1897, ibid., 403/1897; No. 35, 9th October, 1897, ibid., 463/1897; No. 11, 11th April, 1899, ibid., 188/1899.

[23] R.C. to H.C., not numbered, 7th July, 1895, *loc. cit.*

[24] Assistant H.C. to H.C., G. and E. No. 23, 23rd March, 1909, WPHC, Inwards Correspondence, General, 393/1909.

Government Officer, or if he differs, to have the courage of his opinions and the ability to explain and maintain them.[25]

The *unimane* of the Gilbert Islands, eased out of local government at this early stage, have tended to remain aloof from the system ever since. Nonetheless they have retained considerable authority within their communities and have shown a remarkable genius for adapting both laws and constitution to their own ends when not strictly supervised.

A change of attitude on the part of the High Commission could be noted after the visit of im Thurn to the Protectorates in 1906. Government Agents were included in the establishment and a more liberal financial policy adopted. The headquarters was moved to Ocean Island, where phosphate extraction had begun in 1900, leaving local administration in the hands of the District Magistrates. Crewe, as Secretary of State for the Colonies, maintained that the amount of the King's Tax was "considerably less than the portion of the annual expenditure which is devoted to the administration and to the benefit of the Natives of the Islands". He suggested that all "native taxes", less the amount spent on local salaries and expenses, should be considered as Protectorate revenue. Crewe further argued that half of the cost of the proposed Resident's vessel could fairly be met from the Island Funds.[26] The island governments were subsequently "persuaded" to pay £4530 towards the ship, and to agree that the balance of the accumulated Island Funds, amounting to some £17,000, should be absorbed into Protectorate revenue in 1914. Two years later the Protectorates were combined to form a Colony but the change was one of name only and had no effect on domestic policies.

The *Revised Native Laws* issued in 1917 contained few innovations but rather formalised existing practices. The Chief of Kaubure was confirmed as president of the council on the grounds that the position of High Chief was practically extinct. The numbers of Kaubure and island police were restricted to one or two per village and all appointments were made subject to confirmation by the Resident Commissioner or his nominee. In an attempt to limit mission interference non-native persons were forbidden to attend meetings of the native governments. Island regulations could only be made with the approval of a District Officer, who was also empowered to review sentences of the Native Courts.[27]

Many of the old island regulations were included in the new Ordinance. Abortion, attempted suicide, sorcery, libel and slander, procuration, gambling and *tinaba* (a customary practice defined in the laws as "adultery with a daughter-in-law") were all forbidden. Any offence not covered by the laws was to be decided according to English law, with the sentence subject to confirmation by the Resident Commissioner.

The net result of these policies, initiated by Swayne, developed by Campbell, and pursued by their successors, was to stultify initiative on the part of

[25] *Report by Mr. Arthur Mahaffy on a visit to the Gilbert and Ellice Islands*, 1909, as submitted, S. of S. to H.C., No. 141, 12th November, 1909, WPHC Despatches from S. of S.

[26] S. of S. to H.C., No. 131, 14th October, 1909, WPHC, Inwards Correspondence, General, 1146/1909.

[27] Schedule to Ordinance No. 2 of 1917.

indigenous officials to the point where the island governments became little more than extensions of the central administration or, on some islands, the vehicle of a mission representative.

The District Officers who were responsible for the supervision of the island governments during this period may be divided into two groups: career colonial servants, and others. The latter, who were either recruited by the High Commissioner in Fiji, or locally by the Resident Commissioner, came from a variety of former occupations ranging from ships' engineers and officers, traders, and labour overseers to drifters and remittance men. Some of this latter group, like Murdoch, were conscientious and successful in the execution of their duties; others were patently less so. Some of the former group were university graduates who took pains to learn the languages and customs of the Gilbertese and Ellice Islanders and were sympathetic towards the aspirations of the islanders; a few lacked both ability and interest.

There was less control over local government in the Ellice. Shipping was always difficult, and the islands were often without a District Officer. The high chiefs had disappeared rapidly, leaving behind communities which tended to be led by the missions and the traditionally powerful families. As long as the important positions were given to the acknowledged heads of these families there were few problems. The Ellice also lacked the two common characteristics to be found underlying political disturbances in the Gilberts – inter-village rivalries and religious intolerance.

When political troubles did arise in the Ellice they were usually centred on the young men. Whether the cause lay in the reaction to mission control, youth's perpetual rebellion against grey hairs, or new ideas introduced by repatriated labourers, it is difficult to say. Traditionally, the young men of each island had been divided into two rival groups under the leadership of an old man who would act as spokesman. With the arrival of missionaries, and their attempts to focus all social activities on the church, the groups went into decline without any adequate substitute to cater for the energies of the young men being provided.[28] From about 1915 onwards there were spasmodic revivals of young men's clubs in the Ellice Islands. These groups, known as *aumaga* were generally beyond the control of the island authorities. They decided which laws were to be obeyed, and which not, and took action to enforce their decisions. Occasionally the *aumaga* acted as a political pressure group for a pastor who was at variance with the Kaupuli. More often they were in opposition to their spiritual and temporal elders.[29]

Mission rivalries were more common in the Gilberts. The Hawaiian mission had effectively withdrawn by the turn of the century, leaving the north of the group open for the Sacred Heart Mission. In the south, Tamana and Arorae remained exclusively protestant. On the central islands, however,

[28] D.O., E.I.D. to R.C., No. 90, 28th September, 1935, enclosed in R.C. to H.C., No. 330, 9th December, 1935, WPHC, Inwards Correspondence, General, 68/1936.
[29] *ibid.*; see also, District Annual Report, Ellice Islands, 1915-16, enclosed in R.C. to H.C., No. 1, 1st January, 1917, ibid., 318/1917; Lenwood (LMS) to R.C., 19th November, 1915, enclosed in R.C. to Secretary of the LMS, 22nd December, 1915 LMS, South Seas, Letters.

rivalries were carried into local politics, sometimes resulting in violence.[30] There were also clashes between mission representatives and island governments over such issues as "native dancing", which missionaries tended to describe as "decadent and immoral". Arthur Grimble and other officers defended many of the dances (some were admitted to be indecent) as a "harmless pastime" and attempted to work out compromises classifying acceptable dances and times for performances.

While Grimble may have defended innocent pastimes he was also, as Resident Commissioner in 1930, responsible for the introduction of the most authoritarian code of island regulations that the groups have ever seen. In practice the island governments were no longer free to make their own regulations under Section XV of the 1917 Ordinance but were obliged to accept a consolidated version prepared in the Resident Commissioner's office. Dancing, adoption, and the control and upbringing of children were all considered fit subjects for legislation. Fishing between the hours of 6 p.m. and 5 a.m. required permission from a Kaubure. Inter-island sailing was forbidden. There was to be a 9 p.m. curfew, and all persons visiting latrines after this time were to carry lamps. All persons were obliged to cultivate their trees or gardens on Fridays. Eating in sleeping houses, or sleeping in eating houses, earned a fine of one to ten shillings. Feasts, celebrations and meetings could only take place after approval had been given by a member of the island government. Games involving gifts of food were forbidden on the grounds that they promoted family and village rivalries, and led to a wastage of food. The concept of "communal" or public works was also formalised. By this regulation all able bodied men and women between the ages of sixteen and sixty, with the exception of local government officials and a limited number of mission personnel, were to perform public works for up to fifty two days a year.[31]

Although those regulations which were considered objectionable by the islanders were seldom observed in the absence of a District Officer, the publication of the 1930 *Regulations* marked the apex of the authoritarian and paternalistic administrative policies established by William Telfer Campbell. From this point there could only be increased indigenous participation in local government and a relaxation of the repressive regulations.

IV

Requests from Gilbertese, Ellice Islanders and the younger District Officers for a revision of Grimble's *Regulations* were unsuccessful until 1936 when H. E. Maude, a District Officer and Lands Commissioner for the Gilbert Islands, indirectly forwarded a copy of the *Regulations* to an opposition Member of Parliament in the United Kingdom. That "truculent upholder of the Individual's Right to Live"[32] – as he was designated by the Resident

[30] For example, Maude, H. E., "The Swords of Gabriel", in *The Journal of Pacific History*, Vol. 2, 1967, discusses religious disturbances at Onotoa in 1930.

[31] *Regulations for the Good Order and Cleanliness of the Gilbert and Ellice Islands*, Suva, 1930.

[32] Barley (R.C.) to Barton (Acting H.C.), demi-official, 7th June, 1936, WPHC, Inwards Correspondence, General, 1407/1936.

Commissioner – threatened to table the regulations for debate in the House of Commons unless immediate and substantial revisions were made.[33] On Colonial Office instructions the regulations were revised and all those which were considered unduly oppressive removed; for example those concerning canoes, feasts, games, uses of eating and sleeping houses, smoking and spitting. Other regulations to be revised or withdrawn dealt with practices still strongly controlled by customary obligation; for example *bubuti* (the soliciting of goods or services) and adoption.

Pressure for changes in the regulations for the Ellice Islands had begun in 1937 when D. G. Kennedy, the District Officer, had forwarded a memorandum to the Resident Commissioner with a list of suggested amendments. In particular, Kennedy pointed to the differences in the social and political structure of the two groups and the inapplicability of many of the regulations to the smaller communities of the Ellice. He emphasised that in the Ellice all the inhabitants of an island lived, for the best part of the year, in a single village, were mostly related in some way, had shared the same schools and were all members of the one religious faith. Restrictions on inter-island travelling had only served to reinforce this position. Regulations concerning canoes, fishing, feasts, games, and dancing were not generally enforced and, if they had, would have been considered intolerably oppressive.

The Gilbert Islands and Ellice Islands *Island Regulations*, published in 1939 and 1947 respectively, contained a basic set of regulations for all islands within the group, and special regulations requested by the governments of particular islands. The offensive regulations were removed, and a more lenient view taken of the degree of control needed to maintain the "good order and cleanliness of the islands". Most of the special regulations were concerned with fishing. Five Gilbert Islands retained the "Friday cultivation" regulation in some form and all Ellice Islands passed some form of similar regulation. Fishing regulations in the Ellice were comparable with the seasonal restrictions passed in the Gilberts with the addition of clauses attempting to prevent disturbing fish, or breaking a canoe-line during communal expeditions.

The constitution of the local governments, which had remained virtually unaltered since 1917, was revised in conjunction with the island regulations. Government officers argued that the essential training period in local government had passed, and that the emergence of an educated class, the product of government and mission schools, justified an increase in responsibility for the island governments. It was hoped that reform would break down the belief, current on many islands, that the Government was something alien and merely a "troublesome necessity" which provided funds.[34] Such a belief was derived from the actions and attitudes of a generation of District Officers who had effectively stifled local participation in government.

The new ordinance was intended as a first stage towards local self-government and ultimate Colony self-government. When the reformed councils

[33] H. E. Maude, personal communication.
[34] Circular to Administrative Officers, No. 67, 28th February, 1948, GEIC, Secretariat, 2nd Series, F1/6/3. (Central Archives).

were working satisfactorily it was intended that they should be given financial responsibility. Before such an aim, however laudable, could be achieved it was essential to break down the belief that the Native Magistrate was the agent of the central government and to return the responsibility for local government to those with whom power in the community really lay: the old men. The solution was seen in a democratic experiment – the election of council members on an adult franchise.

During the preparation of the ordinance there was considerable disagreement among Administrative Officers regarding the respective roles of the Chief of Kaubure and the Native Magistrate. Barley, the Resident Commissioner, argued that there should be a separation between the executive branch, under the Chief of Kaubure, from the judicial branch, under the Native Magistrate.[35] In fact, Barley wanted to return to the theoretical position under the 1917 Ordinance. His view was strongly supported by the District Officer, Ellice Islands, who had previously advocated a similar course of action. Eventually the proposals of Maude, chief drafter of the ordinance, were accepted. It was acknowledged that the Native Magistrate was recognised on the islands as the *de facto* head of both branches of local government, and that separation of the functions would cause undue confusion.

The *Native Governments Ordinance*, published in 1941, but not introduced until seven years later, firmly established the Native Magistrate as the ultimate executive and judicial head of the local governments. He was to preside over all three local government agencies; the Island Council, the Native Court and the Lands Court. The Chief of Kaubure was placed second in the hierarchy. He was to act in the absence of the Magistrate, and to be responsible for supervising the work of the Kaubure and ensuring the enforcement of the laws and regulations. All secretarial and records work remained the responsibility of the scribe. The Chief of Police, apart from his obvious duties, was to act as prosecutor in the Native Court. All principal officers were to be appointed by the District Officer subject, in the case of the Magistrate, to confirmation by the Resident Commissioner. No attempt was made to revive the powers of the High Chiefs, who were to fulfil solely ceremonial functions.

Kaubure were no longer to be appointed but elected on a 30 years of age male and female franchise. Election was not subject to confirmation. The Kaubure were to advise the Chief of Police on all cases from their village districts, and to act as a jury in other cases. It was hoped that the introduction of the jury principle, especially in the Gilbert Islands, would ease the difficulties often arising from religious sympathy or antagonism on the part of the Magistrates.

An Island Council was established, to be composed of the principal officers, the Kaubure and elected members not exceeding half the number of Kaubure. The Council was to "consider reports made to it by members of

[35] Minutes of discussions between H.C. and R.C., Suva, 6-7 June, 1938, enclosed in H.C. to R.C., No. 220, 28th July, 1938, WPHC F10/12(1).

the Council relating to the peace, order and good government of the people in the island", to "hear complaints of misconduct or neglect of duty on the part of all officers other than the Magistrate", and to enact island regulations. A Lands Court for each island was also established under the Ordinance. Members were to be the Magistrate, Chief of Kaubure, and one-third of the Kaubure appointed in rotation by the Magistrate. Native members of the Lands Commission, holding office under a separate ordinance, were also included. The Lands Court was to hear and settle disputes brought before it concerning land boundaries and ownership, garden pits and fish traps. The functions of the native Court remained virtually unchanged. It continued to hear cases brought under the code of criminal and civil law included in the Ordinance, and the island regulations, subject to an appeal to a District Officer.

The 1941 Ordinance was introduced when the Colony was still suffering from the aftermath of the Pacific war. The withdrawal of government officials from the Gilbert Islands early in 1942 resulted in a gradual decline in the efficiency and authority of the island governments. Regulations were enforced spasmodically, if at all, and island records fell behind. Japanese occupying forces undermined or replaced local authorities using them as little more than providers of free labour. American occupation of the Colony from November 1943 had a further disruptive effect. Many Gilbertese and Ellice Islanders entered a wage economy for the first time, and inhabitants of occupied islands were justifiably impressed with the technological skills and equipment of the Americans and their apparently unlimited wealth. It was not surprising, therefore, that on Butaritari and Tarawa petitions were presented in 1944 requesting United States protection for the islands. Under such circumstances the difficulties faced by a comparatively impoverished British District Officer who was obviously dependent on the U.S. forces were rendered even greater.[36]

By 1948 co-operative societies, which had been started in the 1930's, had been re-established to facilitate the distribution of supplies, and copra collection. The post-war boom resulted in a rapid increase in copra production in response to rising prices among people desirous of purchasing consumer goods which had been unavailable for some years. Further wage employment and an opportunity to travel through the groups, was offered in the Labour Corps which was designed to cope with problems of rehabilitation and reconstruction. Together, copra production and the Labour Corps lessened the interest of many men in the new Island Councils. Others who had worked away from their home islands, under Japanese control, or on reconstruction projects, formed a disruptive element in many island communities.

One of the prime intentions of the 1941 Ordinance had been to bring the old men of the Gilbert Islands back within the orbit of local government. The newly-created Lands Courts provided them with an alternative source of power. It has long been accepted that by virtue of their intimate knowledge

[36] *Gilbert Islands District Annual Report*, 1943-4, GEIC, Secretariat, 2nd Series, F3/1/3. (Central Archives).

of genealogies, customs governing ownership and inheritance and details of transactions dating back several generations, the *unimane* are the only real authorities on land matters in the Gilbert Islands. Land, because of its very scarcity, is, and always has been, of crucial importance to the Gilbertese. The opportunity for real authority in their islands was preferred by many of the *unimane* to service in an island government still, to a large degree, controlled by District Officers and their nominee Magistrates. Others chose to serve on co-operative committees which effectively controlled the economic life on the islands.[37]

Lands Courts and co-operative societies caused fewer problems in the smaller Ellice Islands. Island leaders had always played a prominent role in local government and absorbed positions of responsibility in the new agencies with little difficulty. Mission influence over island governments was undiminished. Cases were recorded where Council meetings were adjourned while a member, who was also a deacon, withdrew to seek the pastor's advice.[38]

In neither group was the Ordinance fully explained and understood. Limited numbers of staff, many of whom were concerned primarily with reconstruction, and irregular shipping were but two of the factors involved. In the immediate post-war years there were few officers fluent in the vernacular languages and some were forced to rely on interpreters whose English was sometimes inadequate when faced with the technicalities of legislation. There had been no education programme designed to show the role that the reconstructed councils could play in island politics. As in many other colonial territories, the ideal behind it all – a decentralization of power to local authorities in preparation for eventual self-government – slowly disappeared and the functions and powers of the island governments reverted to those of the pre-war years.

[37] D.O., G.I.D. to Sec. to Govt., 16th December, 1949, GEIC, Secretariat, 2nd Series, F10/1/1(I). (Central Archives).

[38] D.O., E.I.D. to Sec. to Govt., No. 81, 10th July, 1952, ibid.

Changing Patterns of Land Tenure amongst the Nuba of Central Sudan[1]

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THE general trend in tenurial customs in Africa south of the Sahara is away from communal holding and towards the individualisation of ownership, with full rights of alienation and inheritance. But in several parts of the continent there has long been a tradition of private occupance in response to distinctive social or economic conditions.[2] One such area is the Nuba Mountains region of central Sudan. Individual tenure there may have developed as indigenous negro groups sought refuge in upland massifs from Arab nomads and slave raiding expeditions, especially during the nineteenth century, and probably reflected adaptation to a situation of land scarcity. Simple techniques of birth control were evolved to the same end. With the establishment of stable government during the present century, expansion of lowland cultivation and down-movement of upland settlements has become possible, thus relieving pressure on hill resources, while at the same time the area has become exposed to a new range of commercial and cultural influences. The main purpose of the present paper is to assess the extent and nature of modifications to the traditional tenurial patterns which have accompanied these changes, and it is concerned in particular with the practical operation of local customs rather than with the theoretical legalistic ideal.

The Setting

The Nuba Hills are a collection of isolated residual outcrops of ancient crystalline rocks rising 50 to 1,000 metres or more above the surrounding lowlands. Some of the larger massifs stretch for up to fifty kilometres without interruption, and are separated from each other by broad plains or broken rolling country. The main water courses drain towards the Nile, but most lose themselves in marshes and lakes, and none contains surface water

[1] Much of the field work for this study was financed by the University of Khartoum. I would also like to acknowledge the assistance of Jon Alfatl Trnal and Nětu Almasa Annglo. The spelling of place-names accords with practice on the Sudan Survey 1: 250,000 series.

[2] See for example: S. F. Nadel, "Land Tenure on the Eritrean Plateau", *Africa*, Vol. XVI (1946), pp. 1-22; C. K. Meek, *Land Law and Custom in the Colonies*, second edition (London, 1949), pp. 20-1, 137, 150, 159, 197-8; J. C. Froelich, "Généralités sur les Kabrè du Nord-Togo", *Bulletin de l'Institut Français d'Afrique Noire*, Vol. XI (1949), p. 103; A. B. Miskin, "Land Registration", *Journal of African Administration*, Vol. V (1953), pp. 77-80; H. D. Gunn, "Peoples of the Plateau Area of Northern Nigeria" in C. D. Forde (ed.), *Ethnographic Survey of Africa, Western Africa*, Part VII (London, 1953), pp. 81, 86; E. B. Dobson, "Comparative Land Tenure of Ten Tanganyika Tribes", *Journal of African Administration*, Vol. VI (1954), pp. 81-2.

throughout the year. Consequently, the most important sources of water during the long dry season are pools and streams in some of the larger hills, rock fissures, and wells sunk in hill-foot pediments and sandy stream beds. Within the massifs, some of the larger valleys are floored by stoney clays and gravelly loams, thin acid profiles have developed on the slopes, while there are extensive boulder-strewn surfaces and areas of naked rock. A reddish-brown coarse textured loam – known locally as *qardūd* – fringes the hills, forming a well-drained apron which may be several kilometres wide, and larger expanses of these gravels have been dissected into the low hills that lie between some massifs. Deep, black, self-mulching clays, possibly of alluvial origin, cover wide stretches of lowland, particularly along the main streams, and these are the most naturally productive soils in the whole region.

Climatically, the Nuba Mountains are distinguished by pronounced wet and dry seasons, the former generally lasting from early June to mid-October and supporting a low rainfall woodland savannah in which accacias are the dominant species. Large uncleared forests remain, particularly on the dry dissected *qardūd* which is generally not favoured for cultivation, and on some of the wider clay plains with poor water supplies and consequently little population. Precipitation increases rapidly from north (600 mm.) to south (900 mm.), and would also seem to be slightly heavier and more reliable on the higher hills and plateaux.[3]

At the beginning of the present century the hills were inhabited by a body of negro tribes of varied origins and traditions, who are known collectively as the Nuba, while the surrounding lowlands were dominated by Arab pastoralists. Nomad incursions had, from the sixteenth century, gradually driven the indigenous populations of the plains west of the White Nile to seek refuge in the uplands where they were safe from pursuing horsemen. Particularly severe slave raiding during the nineteenth century saw the complete depopulation of some lower and more accessible hills, and a further retreat by many Nuba groups from the lower slopes and foothills to high valleys and plateaux. There they developed the fairly intensive cultivation necessary to make the best use of limited resources. Terracing to conserve soil and moisture, intensive manuring on at least some plots, and the use of simple rotations and legume culture to maintain soil condition were all characteristic features of hill farming. Adjacent lowland clays and loams were also cultivated wherever possible, usually on a shifting basis and usually with the tacit agreement of local nomad groups in return for a levy of grain and slaves.[4]

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[3] Sudan Meteorological Service, *Rainfall Averages* 1921-1950, Pamphlet No. 1 (Khartoum, 1954).

[4] J. W. Sagar, "Notes on the History, Religion and Customs of the Nuba", *Sudan Intelligence Report*, No. 186 (1910), Appendix A; R. C. Colvin, *Agricultural Survey of the Nuba Mountains*, (Khartoum, 1939); R. C. Stevenson, "The Nuba Peoples of Kordofan Province: an Ethnographic Survey", unpub. M.Sc. (Econ.) thesis, University of Khartoum, 1965, pp. 47-136.

The Traditional Tenures

The tenures that were developed to meet such conditions reflected adaptation to the requirements of a particular physical and social milieu, but may also have contained elements of earlier traditions from some distant past and different environment. They have been described by S. F. Nadel, a government-appointed anthropologist who worked in the area in 1938–40.[5] At that time the old patterns of settlement and tenure were beginning to change under a variety of influences but still retained their essential characteristics. Private ownership of land was universal, and proprietary rights were transferred permanently by inheritance, gift and, more occasionally, sale, and alienated temporarily through lending or leasing.[6] The hill community, comprising a group of villages or hamlets occupying the same ridge or hill, was more socially significant than either the village or the tribe. Tribal groupings were unimportant economically, and tribal boundaries were generally vague except where the cultivations of separate tribes had come into physical contact as had happened on some of the larger massifs.[7] Amongst some groups the hill community reflected clan divisions, while in others there was little relationship between the two. Members of the same community usually cultivated side by side in both uplands and lowlands, but there was no single authority regulating the use or disposal of property.

The agricultural land-holding of the community, as of its constituent farmers, comprised a number of elements. Farmsteads might be dispersed in isolated units or small hamlets, or be gathered together in loose nucleations depending on tribal customs (particularly the strength of patrilineal ties) and local topography. Some Moro villages, for example, extended for a kilometre or more across the plateau surface, while the more broken Otoro hills were an area of scattered hamlets. Almost invariably farmsteads were near or adjacent to small terraced plots which were manured and under continuous cultivation to provide early maturing grains and vegetables, the chief food supply in the months immediately before the main harvest. These areas were highly valued, and in some of the more heavily populated districts an active market in homestead plots had developed. The main arable land lay at some distance from the settlement. Individual farmers usually had one or two terraced hillside plots under the hoe each season, while members of many hill communities also owned clearings extending in long strips across the clays away from hill-foot pediments and sub-divided by boundary

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[5] The following account is based on Nadel's work supplemented by additional information collected in the field: S. F. Nadel, *The Nuba*, (London, 1947), pp. 22-39, 129, 227-8, 292-3, 340-1, 377, 405, 436; and "Dual Descent in the Nuba Hills", in A. R. Radcliffe-Brown and C. D. Forde (eds.), *African Systems of Kinship and Marriage*, (London, 1950), pp. 331-59. There is undoubtedly also a mass of relevant information from this period locked away in the files of local government offices, but unfortunately under present conditions it is difficult for a foreigner to gain access to it.

[6] It should be explained that all land in Sudan was (and is) state owned, except for urban plots, long-cultivated land along the Nile and holdings in a few other localities. Farmers in the Nuba area had, in theory, only customary rights of usage over land and not actual ownership. It was this right and not the land itself which was supposed to be transferred and inherited.

[7] As for example on the single plateau occupied by the Moro, Achrun, Koko Limon and Tira Limon.

stones. Great stretches of forest beyond were either used as seasonal grazing by Arab nomads or remained unoccupied because of a lack of drinking water in the dry season.

There were numerous variations from this generalised pattern of land-holding. In particular, lowland agriculture was more extensive in the south of the region where communities settled on low hills had the bulk of their agriculture out on the adjacent plains. Conversely, the arable land of peasants in some of the larger massifs was confined entirely to the plateaux and valleys, either because of the distance from lowland sites suitable for cultivation or because of competition from larger and more powerful neighbours. In such cases individual holdings were scattered in several plots – as much as six in some Otoro communities – in order to exploit varying conditions of soil and slope, and sale of these plots had sometimes appeared by 1940 as a result of the build-up of population pressures in the hill ranges.[8] Many uplands also contained tiny irrigated areas, watered manually from wells and producing onions and tobacco.

Common grazing on fallow and harvest residues was universally practised on both hill and lowland farms, the cattle of several neighbours or even of a village usually being run together. During the growing season, however, cattle were either sent off to pastures distant from the main cultivations or, failing this, were kept in fenced compounds.

Outright gift was probably the commonest means of transferring land. Marrying sons were often given a plot from the parental holding to sustain them until they had established a farm large enough to keep a family. Inheritance was, in the majority of tribes, based on patrilineal traditions, but with varying customs of descent: in some groups only the eldest son inherited, but more usually rights in property were passed on equally to all sons or to younger sons who had not yet married and were therefore in greater need of land and a bride-price. Even when partible descent occurred, it was often common for the inheritors to allot a patrimony amongst themselves according to greatest need.[9] Inheritance in the matriline was followed by not more than a dozen distinct groups,[10] mostly in the western and southern hills, and was often associated with the exchange of young children between mother-brothers – a child joined the household of a maternal uncle whose land would eventually pass, in part, to him. Customary descent could be modified in a number of ways. Some groups recognized verbal wills made in front of witnesses, and amongst the Moro this had even become the general rule. An aged parent often also preferred to allot almost all his property by gift to chosen heirs and then to live out the rest of his life with one of them. But it was rarely possible to dispose of land in these ways outside the family or to break away from traditional practice completely. In areas of matrilineal descent, for example, a father might arrange to give or leave some land to his natural sons, but he could rarely ignore the claims of his nephews completely.

[8] As amongst the Moro, Liguri and Achrun.
[9] For example at Alleira, Heiban, Otoro and Tira.
[10] These were Tuleshi, Kamdung, Tima, the Kanga group, Mira, Korongo, the Shat group, Masakin, Achrun, Tum Tum, the Kau group.

Sale of land, although occurring in many communities, usually took place under fairly exceptional circumstances – Tuleshi used it as a device to avoid the full effects of matrilineal inheritance – and local land markets were well developed only with respect to high value homestead cultivations, especially in some of the more densely populated hills and amongst communities with little or no lowland arable. Borrowing had sometimes appeared as an alternative to outright purchase, but was widespread and institutionalised only at Dilling and Nyima.

Social and Economic Changes in the Twentieth Century

Such were the main features of traditional tenures as they survived up to about thirty years ago, and as they still survive in part today. But by 1940 Nuba land tenure was in a state of transition. Radical social and economic changes which had been initiated several decades previously, were gathering pace and were to be further accelerated in the years following the Second World War.

Anglo-Egyptian administration had gradually been extended over the Nuba Mountains in the first two decades of the present century. The military and political authority of the nomad Arabs had been destroyed in the re-conquest, slave raiding by both Arabs and Nuba was gradually put down, and by the early 1920s all but the most recalcitrant hill tribes had been forced to recognize the authority of the central government. As a result there was a considerable expansion of lowland cultivation – by nomads who were beginning to settle around permanent water supplies out in the plains, by immigrants from West and French Equatorial Africa, and by the Nuba themselves. Some defiant hill communities were forcibly resettled in accessible valleys and on lower slopes, ridges and foothills as part of the process of pacification, while others were gradually moving down voluntarily so as to be nearer to their plain farms and the perennial water available from hill-foot springs and wells. Early down-migration occurred in particular in the northern hills, which became one of the main recruiting grounds for army and police, and around the administrative centres where hill farmers were early subjected to official and commercial pressures. The growth of temporary labour migrations to the towns, especially by young men wishing to acquire a bride-price, slowly undermined old social ties and brought a greater awareness of a money economy. Likewise the gradual spread of elementary education and alien religions also saw local customs increasingly exposed to foreign influences – northern Sudanese influences encouraging arabization on the one hand, and British officials and Christian missionaries encouraging certain indigenous traditions on the other.

Agricultural expansion in the lowlands was stimulated by the introduction, in the 1920s, of short-staple American upland cotton with the aim of encouraging cash cropping. The black cracking clays of the plains are particularly suitable for this crop, and its cultivation soon spread, at first amongst Arabs and West Africans, and then, following a government campaign in 1933, on an increasing scale amongst the Nuba. By 1939, 40,000 hectares were under cotton annually and eight ginning factories had been built in the region. Cotton production was revived in 1945 after a

war-time shift to food crops, and graded feeder roads were constructed from the ginning centres to the railway line in the north. More than 90,000 hectares of cotton are now grown in a favourable season. Water supplies have also gradually been improved by governmental agencies over the last 25 years. Bores have been sunk, especially in the eastern hills, and water storage tanks excavated in the clays. Although not everywhere successful, these latter have in many districts facilitated the continued extension of cultivation further into the plains.[11]

The process of down movement from upland communities has, in recent years, been most marked in some of the higher southern and central hills. Amongst the Moro, for example, the only lowland settlements in 1940 were at two small trading centres and a village that had grown up west of the Lebu massif. Today villages exist all around the Moro hills, many of them established only in the last ten years, and new colonies are developing further afield as the clays near to the hills have become fully occupied.[12] A corollary to continuing down-migration has been the complete abandonment of some hill settlements, while others remain occupied mainly by an ageing population loath to move. Some hills, however, remain densely settled and are still farmed along traditional lines.

Changes in Land Tenure since c.1940

The far-reaching economic and social changes outlined above naturally had a profound impact on traditional tenurial customs. Four factors have been especially prominent, namely, the choice of new settlement sites and the associated expansion of plain farming, the change from a frequent condition of land hunger to a general condition of land surplus, the reappearance of land shortage in certain communities, and increasing exposure to alien influences.

Expansion of lowland cultivation has brought a hardening of Nuba tribal boundaries, and even in some areas the appearance of fixed boundaries for the first time as the arable of one tribe has gradually impinged upon that of another. Generally, however, actual territorial limits have remained vague in definition – tribal lands lie intermingled in the zones of contact and multi-tribal villages have often developed in the vicinity.[13] Moreover, the sharp frontiers that formerly existed in a few hills have often been relaxed as tribal hostilities have declined. Thus Otoro and Tira el Akhdar are now farming alongside each other in the Kauda valley where once the stream bed had been a rigid divide. In the same way territorial distinctions within a tribe – whether based on hill community or clan – have usually become blurred and sometimes even abandoned where settlement has been moved to new lowland sites. The Otoro community of Urumbi, for example, is now prepared to allow members of other Otoro sections (with one exception) to

[11] For a more detailed account of these changes see D. Roden, "Lowland Farms for a Mountain People", *The Geographical Magazine*, Vol. XLII (1969), pp. 200-206.

[12] D. Roden, "Down-migration in the Moro Hills of Southern Kordofan", *Sudan Notes and Records*, Vol. LII (1971) – in press.

[13] As on the southern and western periphery of Moro territory: *ibid.* Throughout the region many lowland villages comprise in varying proportions, Nuba and sedentary or semi-sedentary Arabs.

join the new villages growing up west of their massif, while amongst the Moro family ties or divisions, personal friendships and religion are now more significant in new settlement groupings than the traditional distinctions based on hill communities.[14]

The dissolution of group divisions has gone yet a stage further in areas being colonised by farmers from a number of tribes, working side by side with each other. As noted this has sometimes happened along tribal boundaries as they have developed. It is also appearing in once virgin territories where conditions for settlement and cultivation are sufficiently favourable to attract settlers from many groups. The black cotton soils around Umm Berembeita, in the north of the region, were already being farmed by a mixture of Arabs, West Africans and Nuba a quarter of a century ago,[15] and more recently many small and formerly unoccupied hills situated in clay plains have drawn colonists from wide areas.[16] Sometimes the customs of the dominant group are adopted, but more usually each set of newcomers adheres to its own tenurial forms. Land disputes between farmers following differing customs are usually solved according to the practice of the tribe with the greatest nominal claim to the whole area.

The most significant alterations in land tenure have, in many parts of the region, been associated with the change from a situation of increasing land shortage to one of land surplus that has accompanied the extension of lowland farming. New hill-foot settlements have access to relatively abundant potential arable, while pressure on land resources in those uplands where substantial populations remain has also often been relieved by the exploitation of plain farms. Nevertheless, claims to private ownership are still almost universal amongst the Nuba. Once cultivated, a plot of land remains the property of its original clearer and no one else can appropriate it without permission from him or his heirs. Members of any community are usually free to clear bush within the group territory, although newcomers generally have to obtain permission from local notables before they can take up land.[17] Newly cleared holdings are usually left uncultivated for a season or two to allow the presentation of alternative claims to it.

There has, then, been no general lapse into communal ownership even although land has often lost its scarcity value. In some Heiban sections proprietary rights to farmland on the lower slopes and foothills have weakened as valley bottom clays have been opened up – there is, in fact, no strong claim on fallow unless it has exceptional qualities, even on terraced land where considerable effort may have been expended.[18] Otherwise it is only in deserted uplands that rights to former cultivations are no longer upheld. Where settlement is still concentrated within the massifs but the

[14] Perhaps the most noteworthy exception to this trend is the plain township of Tira Mande, where a rigid segregation between five sub-clans is maintained with each living in its own section of the village and cultivating only in its own area.

[15] S. F. Nadel, *loc. cit.* (1947), p. 360.

[16] For example, in the plains 5-10 kilometres west of the Wali-Katla hills, the low hills south of Umm Heitan, and the area south of the Tabuli-Tum Tum massifs.

[17] In the very mixed West African settlement of El Berdab, north of Kadugli, each tribe has its own sheikh from whom any immigrant has to obtain permission to cultivate.

[18] The only exceptions to the general rule of perpetual claims over fallow noted among the Nuba are at Fanda, Tima and Umm Heitan.

bulk of agriculture is now in the plains, as amongst the Nyima, holders of former hill farms freely give their abandoned plots to anyone who wants to till them; and where hill villages have been abandoned completely the old terraces are regarded as ownerless. In the eastern Moro district there is now even some up-migration by elderly people who are dissatisfied with life in new lowland settlements and who are re-appropriating abandoned hill land that has lain fallow for a decade or more and has been well manured by the cattle that have used it as wet season grazing.

Freer access to surplus land has also brought a general decline in the significance of inheritance as a means of obtaining property. Sons are, in most tribes, still provided with an arable plot from the parental holding when they marry and on this basis they can build up a substantial farm by clearing unoccupied bush. If no parental gift is forthcoming a prospective bridegroom often simply brings a virgin plot under the hoe. Inheritance customs are more flexible than thirty years ago, and there is an even greater tendency for a patrimony to descend to the son most in need of it – often the youngest unmarried son. Amongst the Moro, for example, customs akin to primogeniture have been replaced by a greater degree of partibility – if a parent dies intestate the eldest son is expected by custom to apportion his inheritance amongst his brothers according to their needs[19] – while in Heiban and Alleira (where partible descent to natural sons is the rule) inheriting brothers decide amongst themselves how property should be sub-divided and usually favour a younger brother with as yet no house of his own.[20] Increasingly, too, the possibility of inheritance customs being invoked is avoided.[20] Throughout the region perhaps a majority of farmers prefer to arrange succession to their property before they die, either by dividing the farm amongst the chosen successors and then living with one of them until death, or by some form of verbal will made in front of witnesses (who are usually respected members of the community).[21] One of the purposes of such testimonies is to avoid later dispute over the division of property, as such a fairly even apportionment of land amongst potential inheritors is often considered desirable, especially in areas where there is a strong tradition of partibility in inheritance.[22] Among some groups such practices are now so well developed that a father who obtains a new piece of land or an animal may immediately name the son who should inherit it.[23] A form of written death-bed will is even beginning to be used by more literate sections of the Nyima[24] and, although in the absence of an *ante mortem* testimony

[19] For a more detailed account of Moro custom see D. Roden, *loc. cit.* (1971).

[20] At Alleira the house is usually inherited by the eldest brother. Kanga also follow the practice whereby inheritors dispose of property amongst themselves according to need, and there are numerous other variations along these lines followed in the region as a whole: for example, at Debri and in some Koalib communities only a large patrimony is divided between all heirs, smaller holdings generally descending intact to a resident son or being divided only amongst younger sons.

[21] At Miri Juwa, for example, land is divided by a father in the presence of the omda and tribal elders. If a father dies without apportioning his holding amongst his sons in this way, his brother takes over the duty.

[22] As at Keiga Luban and Keiga Girru.

[23] As amongst the Moro. In contrast, some Koalib who frequently resorted to verbal testimonies in the past now use them only for the disposal of livestock.

[24] In contrast, Nadel noted thirty years ago that amongst the Nyima wills to alter customary apportionment were inadmissible: S. F. Nadel, *loc. cit.* (1947), p. 405.

farmland still descends to the eldest son, it is the youngest son who inherits the house and its adjacent plot.

Traditions of matrilineal inheritance have inevitably weakened over the last three decades but remain surprisingly strong in some southern hills. Korongo, Masakin and at least some Shat together with small related groups such as Tum Tum still practise child exchange between maternal uncles with its associated custom of descent to nephews who are, in fact, treated as the uncle's own sons and are familiar with his land and its cultivation. Elsewhere in this southern area matrilineal customs are in varying degrees of modification: at Katcha it is only occasionally that families now exchange children and even then only one or two children are involved, but inheritance by sister's sons persists; at Korongo Abdullah, Cheroro and Achrun child exchange has been abandoned completely but descent to sister's sons occurs, although a holding is more usually divided amongst both father's sons and sister's sons;[25] at Uheimir nephews may inherit the house but the cultivation is divided amongst father's sons;[26] while at Miri and Abu Sinun descent in the matriline has been completely replaced by patrilineal Islamic inheritance. Generally, local customary courts tend to support prevailing traditions in any disputes, while higher courts encourage the trend to a simple form of patrilineal inheritance. Even where descent to sister's sons is adhered to in theory, its effects are, in practice, often modified by parental dispositions before death. At Korongo (Tabanya), Katcha and Masakin Qaseer, for example, it is possible for a father to give some land to his own sons before he dies although sister's sons must still be allowed to succeed to the major part of the holding. Similar arrangements aimed at modifying the form of dual descent followed at Tuleshi in the western hills had appeared there by 1940. Hill-side farms and all moveable property were inherited in the matriline, while other land descended in the patriline. In order to ensure that his own son had a conveniently situated hill-side plot a father often sold part of his own holding there to his son at a nominal price or alternatively the heir to the land sold at least part to the dispossessed cousin.[27] Soon afterwards Tuleshi were forcibly resettled in hill-foot villages,[28] hill-side farms were abandoned, and today all land is, in effect, inherited by natural sons although sister's sons still take the moveable property. The related group of Kamdang has, within the last few years, abandoned matrilineal succession almost completely, following a dispute in which judgement was given in favour of Islamic custom.

Of the other methods of land transference, the character of land sales has also changed considerably over the last thirty years. The market in highly valued hill and homestead plots that formerly existed in many densely settled communities has declined and almost disappeared as population pressures

[25] This is often the result of some arrangement which becomes effective either immediately or after death.

[26] These examples from the southern hills are very similar to the form of dual descent that Nadel noted had developed in the western areas of matrilineal custom thirty years ago: S. F. Nadel, *loc.. cit* (1947), p. 33; and *loc. cit.* (1950), pp. 346-350.

[27] *Ibid.*

[28] Sudan Government, *Report on the Administration of the Sudan in 1945* (Khartoum, 1947), p. 176.

have been relieved. It survives amongst only a few small hill groups such as Achrun and Koko Limon who have as yet been unable or unwilling to develop lowland farms on any significant scale.[29] Elsewhere, it is the land suitable for commercial crops that has become increasingly important as a saleable commodity. Thus fruit gardens, introduced to the Heiban-Otoro area in the 1940s, command a market value, although no other land is now sold by these two tribes. An even more interesting situation has developed in the Moro district. There most of the heavy clay soils on which cotton and a highly prized variety of sorghum can be grown have already been fully claimed, even though down-migration has taken place only over the last twenty years and is still occurring. The first-comers to these areas were able to carve out large holdings which they farmed on an extensive basis, cultivating cotton for a few seasons and then abandoning the plot. By the act of clearing, however, they established permanent claims, and later migrants found most of the best areas already owned although often not in use. This land, surplus to the current requirements of its possessor, is now usually leased or sold.

Leasing is often used as a temporary alternative to outright sale, both amongst the Moro and in other Nuba groups.[30] Leases are generally for two or three years, and again usually involve land suitable for a cash crop, particularly cotton. A tribesman working outside the region may lease part of his holding – the rest is often worked on his behalf by relatives or friends, usually in return for a share of the crop – or again someone with a holding in excess of his immediate needs may capitalize on it in this way. Amongst some tribes only a plot which has been prepared for cultivation and then remained unused for some reason is leased, in which case its rent is theoretically a payment for the effort expended in clearing.[31] Lessees and purchasers may be young men, often those who have just returned from working in the towns and who are trying to establish a farm, or the more ambitious of established farmers who want to increase their acreage under cash crops. Simple lending is, however, usually preferred to leasing, except in transactions between Nuba and Arabs, and is almost universally practised. In most communities a farmer in temporary need of extra tillage just borrows an unused area from a friend or relative.

The whole question of legal title to agricultural holdings remains ambiguous because officially all land is state owned, and farmers in theory retain only rights of usage. Sale of land is therefore illegal, and people are often unwilling to admit that they are actually selling or leasing farm plots. For the same reason disputes about sale or lease are rarely taken to court. In practice, customary title to land in the first place is usually established by

[29] At both Achrun and Koko Limon the average price for a small plot of hill land is £s. 2-3 while a larger plot is valued at one head of cattle. Sale of hill farms also persists at Tira Limon, although this group now has some lowland cultivation, while homestead plots at Gulud – which are situated along the base of the massif – are sometimes sold.

[30] Examples of leasing have been noted amongst the Masakin, Korongo, Shat, Tira, Keiga, Dabri, Koalib and Tuleshi, and is no doubt practised in many other groups.

[31] For example, Liguri and Nyima.

the act of clearing. Once the scrub on it has been removed, a plot is considered to be the property of the clearer, and is his to transfer as he wishes. In any future dispute about his right, he or his successors will appeal to witnesses of his original cultivation. Apart from lending, which is generally on an informal basis, transfers of land over which customary ownership has been established are made before witnesses. This applies in particular to permanent alienation by gift or sale.[32] Disputes over title are most likely to arise in two circumstances. First, a farmer may clear an apparently virgin plot only to find that it is being claimed by someone else. Usually every effort is made to avoid this possibility by rigorous enquiry before clearing and further, in many areas, by leaving a new plot uncultivated for a season so that any rival claims may be made. Nevertheless, disputes are frequent, especially where the agriculture of Nuba and semi-sedentary Arabs lies intermixed as the latter may return to cultivate only intermittently, and the unscrupulous are tempted to wait and see the quality of crops produced on a clearing before forwarding a claim to it. The second common cause of disputed title arises with regard to inheritance, particularly where matrilineal traditions are giving way to patrilineal custom. As already noted, farmers often try to avoid quarrels between heirs by apportioning their farms amongst chosen successors before they die. Land disputes in general are most common in areas with little surplus agricultural land accessible to the main settlements and water supplies and in districts where soils have some special property such as suitability for cultivation as fruit gardens. Appeal in the first instance is to the court of the *omda* or *mek* (government recognized chiefs) within whose territory the property lies. As he administers land law according to the custom of his own tribe, special problems may arise where the dispute is between members of two different tribes and particularly between Nuba and Arabs. Difficult cases are usually taken to a magistrate's court in one of the administrative centres.

Some Implications of Current Tenurial Practices

The generalised patterns of land tenure described above have a number of implications for the continued expansion and development of agriculture in the region. In particular, customs which arrange for all sons to be provided with arable land from the family holding either on marriage or after a father's death have a variety of consequences. Firstly, they may stimulate the rapid growth of high local population densities and encourage a continuous process of forest clearing.[33] Most young men are assured of a parental plot on which to establish their own farm. They are therefore encouraged to remain in their district rather than to move permanently to work in the towns or to seek land in unfamiliar territory. Labour migrations

[32] In some tribes the government appointed chiefs are preferred as witnesses, but more usually the transaction takes place before any group of locally respected men. Fathers will often only transfer property with the approval of the sons who might be expected to succeed them.

[33] H. E. Hallam has suggested such a correlation between inheritance customs and population densities for parts of medieval England: H. E. Hallam, "Some Thirteenth Century Censuses", *Economic History Review*, second series, Vol X (1957-58), pp. 340-61; and "Population Density in the Medieval Fenland", *Economic History Review*, second series, Vol. XIV (1961-62), pp. 71-81.

from most tribes are short-term and are usually by unmarried young men who are still collecting a bride-price. It is perhaps significant in this respect that the Nyima, who are one of the few Nuba tribes with anything approaching a fairly strict system of single son succession to property, also have one of the highest rates of migration – in January 1950 from 11 to 35 per cent of the taxpayers in different Nyima communities were absent compared with figures of 3 to 7 per cent for neighbouring hills.[34]

Conversely, a constant reserve of virgin land must be available if partible succession is not to lead to the fragmentation and reduction of farms below a size for reasonable subsistence. A father must be able to replace land lost in donations to his sons, the sons must be able to expand their farms from the nucleus of a parental gift, and young men who, for one reason or another, have no land when they marry must be able to clear holdings for themselves. A continuous process of farm dismemberment is, in fact, under way. Sons may be given either a complete plot if the father has a substantial holding, or a single large area may be divided between sons and father or between sons themselves.[35] Sub-division of individual plots is not, as yet, a major problem because farmers are generally ready to exchange parcels amongst themselves in order to tidy up awkwardly shaped units of tillage.[36] Potentially more dangerous is the dispersal of an initially fairly compact holding amongst a number of occupiers. So long as there is abundant land near lowland settlements new clearings can always be added to counteract the effects of farm partition. But in many areas the more accessible clays have already been under cultivation for sixty or seventy years or more,[37] and as a result patrimonies can be enlarged only by extension further and further into the clay plains. The component parts of a typical holding may then be as much as ten to fifteen kilometres apart, and temporary settlements have often grown up at the more distant plots for occupance during periods of heavy work load. In theory, new hamlets and villages should develop in the plains near these far away farms through a process of secondary colonisation as some peasants move out from the older and more crowded centres to build up new holdings on the frontier of cultivation. But in practice this has happened only in the relatively few lowland areas with adequate water resources.[38] Elsewhere settlement remains concentrated near hill-foot wells and springs; during the dry harvest season all water has to be carried from village to far-off farms, and the extension of cultivation into the plains is limited by the distance a farmer is prepared to travel to reach his more

[34] Figures given in R. C. Stevenson, *op.cit.*, pp. 147 and 209. However, it should also be noted that the Nyima have a long tradition of service in the armed forces and police dating back to the forcible enlistment of young men that followed the pacification of the hills.

[35] At Achrun a large plot may be split between father's sons and sister's sons, and then each half further subdivided amongst the members of each group.

[36] At Kujuria and Korongo Abdullah land, when partitioned, is often divided into long strips to facilitate access.

[37] *Sudan Intelligence Report*, No. 130 (1905), p. 10; *Reports on the Finance, Administration, and Conditions of the Sudan*, 1906, pp. 102, 693; *ibid.*, 1907, p. 331; *ibid.*, 1913, p. 213; Intelligence Department, Sudan Government, *Kordofan and the Region to the West of the White Nile*, Anglo-Egyptian Sudan Handbook Series, Vol. II (London, 1912), pp. 54, 59, 66, 69, 100.

[38] Such as the plains west and south of the Moro hills, east of the Koalib hills, and south of the Tira el Akhdar hills.

distant plots – usually not more than two to three hours' walking. This is particularly noticeable in the southernmost range of hills, where the tillage of many Korongo, Masakin and Shat groups fans out southwards into great empty plains but can be advanced no further at the present because of problems of insufficient drinking water. Part of the cotton crop on far plots is sometimes left unpicked if ponds there dry up early. Consequently, good clays accessible to permanent wells are now often in short supply, and around some villages fallowing has been almost abandoned with a resulting decline in yields.[39]

Developing conditions of land scarcity on some plains is accentuated by the generally extensive methods of husbandry followed on lowland farms. These demand a greater area of land per family than the more intensive systems of hill farming.[40] In the early stages of down-migration some groups tilled virgin plot after virgin plot year after year. This is now rarely possible anywhere but still clays are often cultivated for relatively short periods before being left fallow. This is especially the case in the drier areas north of the 700 mm. isohyet where the system of *hariq* cultivation entails a fallow period of three to four years after a similar length of cropping in order to allow the regrowth of grasses suitable for firing.

There is, then, an actual or potential land shortage developing in many of the older areas of lowland settlement. This shortage is related above all to the lack of adequate water supplies which inhibits the continuous process of agricultural colonisation required by current customs of succession and inheritance. Pressure on agricultural resources is greatest amongst those tribes who have reached the effective limits of their lowland territory, especially where these occupy the smaller inter-montane basins within which good land is a reasonable distance from springs and wells, and where descending farmers have simply extended long-established cultivations. The Moro, for example, have room for outward expansion only to the north of their area into a zone of forest with limited water – in all other directions their tillage on the black clays has come into contact with the clearings of neighbouring Arab and Nuba communities. Likewise Masakin, Abu Hashim, Shat Damam and Uheimir are now virtually hemmed-in on all sides, while, for the same reason, land hunger has existed for several decades in the large valleys of the eastern Otoro hills.[41]

There have so far been three reactions to situations such as these. The simplest is large-scale labour migrations such as drain off some of the surplus population of the Otoro and Nyima hills. A second possibility is movement to new and relatively distant areas of agricultural colonisation. Farmers from the central Moro plains have followed this practice since the mid-1930s, and Moro colonies now exist amongst the very mixed communities which

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39 For example around Angolo and Tarogi communities in the Korongo district.

40 Estimates of average farm sizes do not seem to differ greatly from the three to five acres formerly tilled by hill farmers, but the total amount of land required by current methods of cultivation is greater.

41 The larger valleys were first occupied in the 1930s following compulsory re-settlement from higher ridges and plateaux. Recently there has been a further migration from over-populated western areas to new settlements along the main valley of the hills. But the farmers of the eastern valleys have no such outlet.

have grown up on isolated and formerly unpopulated hills set in plains twenty to forty kilometres to the east and south-east. But only certain tribes seem to be prepared to establish themselves in unfamiliar districts. Otoro farmers are still extremely reluctant to leave their overcrowded valleys completely, and it is only in the last two or three years that a few of them have made the first tentative steps to establish independent farms in the northern part of the Moro area.[42] Thirdly, existing land use can be intensified throughout much of the region by the introduction of better systems of manuring, planting and spacing, and improved rotations. Moreover many tracts of lighter clays and loams – often land which was once cultivated – are now lying unproductive because of the preference for heavy clays which have more favourable input/output ratios, and in densely populated lowlands this land could be brought back under the hoe. It may even, in some cases, be desirable to recultivate abandoned hill land, especially as the lighter grains produced there yield well in years of irregular rainfall. In certain districts where there is little spare land of any kind the introduction of more profitable cash crops has sometimes been successful. Thus fruit farming has become established in some of the larger upland valleys with little heavy soil suitable for cotton but where the water-table is near the surface throughout the year.[43] Unfortunately so long as the state of communications in these hilly areas remains so poor the prospects for further developments must remain extremely limited.[44]

On balance, the flexible systems of land tenure now followed by the Nuba seem to be relatively well suited to the present situation of rapid re-appraisal of land values that is accompanying the abandonment of hill farming, expansion of lowland cultivation and increase in cash cropping. Under such conditions more rigid arrangements based on the registration of land would probably either be ignored completely as impracticable or tend to fossilise outmoded tenurial patterns and only accentuate disputes. For example, the exchanges that are often made to counteract excessive fragmentation would become unnecessarily complicated were all title to be registered.

Current patterns of landholding amongst the Nuba can be classified into a number of distinctive groups which reflect varying degrees of down-migration and re-adjustment to changing social and economic conditions. By far the most common arrangement, found in some form wherever there has been movement to new sites with access to heavy clays, is for settlement to be concentrated around the bases of the massifs and, in areas with adequate water supply, to be extended out into the plains. The division of a holding into three components persists, but the former elements of hill-top homestead plot, terraced hill farm and lowland clearing have been replaced by a new pattern. The Moro, for example, still cultivate immediately adjacent to the

[42] Moro, Tira and Koalib seem to be the most willing and resourceful Nuba colonists. There are official plans for the creation of large mechanised farms on uninhabited plains, and one such project has already been started at Habila. Organisation of the schemes is, however, still in a state of flux and it is not clear that local peasants will benefit greatly.

[43] As at Heiban and amongst some Otoro, Tira, Alleira and Koalib communities.

[44] Some important centres are inaccessible to all but military vehicles at the height of the rainy season.

farmstead, usually on low gravelly hills and boulder-strewn pediments, while most husbandmen hold one or two strips in large open fields which extend across long-cultivated clays near the settlements. These fields represent the former lowland clearings of hill farmers, strips in them are under almost continuous tillage, and they are usually passed on from father to son. Many Moro cultivators have also enlarged their farms by grubbing-up bush in zones of recent clearing on clays which are rather distant from the villages, and this land, which is normally under cotton, is more likely to be leased, sold or borrowed than other parts of the holding. Similar conditions pertain at Tira Mande to the east. Farms there are divided between three major land-use zones, namely, homestead cultivations at the base of the hill, an area of black clay two kilometres away used primarily for early maturing crops, and fields far out in the plains about two hours away by foot. Each farmer tries to till two plots in these last two zones as security against possible crop failure on any one, while marrying sons obtain a holding in each. In addition most farms also include some garden cultivation down by the main stream and a patch of gravelly soil for groundnuts.[45]

The opposite extreme is illustrated by Achrun, a small tribe of possibly no more than 1,500 souls. Past hostility from their Tira and Moro neighbours has meant that Achrun have been very reluctant to claim any lowland arable, and as a result their tillage is still entirely confined to high plateaux. Farms under crop comprise a farmstead plot and one or two larger but more distant terraced hillside areas, while many families also own a small patch of onions or tobacco, hand-irrigated from a well or a spring, which are one of the main sources of income. Sale of land for cash or cattle is general and, although patrilineal inheritance is now usual, traces of matrilineal descent survive in the division of large holdings between father's sons and sister's sons. Koko Limon, nearby on the same plateau, are slightly more advanced in that over the last five years they have begun to clear below the hills and to descend from the highest ridges to lower valleys.[46]

Between the two extremes described above there is a wide range of variations which usually combine hill tillage with lowland cultivation in differing ratios. Generally there has been a movement of homesteads and associated farm plots down to valleys, lower slopes or hill-foot pediments. Some communities have retained a limited hill cultivation, especially where the massifs are penetrated by deep valleys,[47] but the bulk of an individual holding is now concentrated on clay plains,[48] along the floor of a large valley,[49] on rolling gravelly foothills,[50] or often on a combination of two or more of these. Sections of Moro and Toicho have abandoned upland farming

[45] Arrangements like these are also customary now amongst most communities at Gulud, Wali, Tuleshi, Miri, the Liguri group, Kadugli, Masakin, Abu Hashim, Toicho, Shwai, Tum Tum, Tira el Akhdar, Talodi, Keiga, Ghulfan, Umm Heitan and Koalib.

[46] The only other group with farms confined exclusively to high hill land would seem to be some Alleira communities.

[47] For example, some Ghulfan, Nyima, Gulud, Wali, Katla, Temein, Miri Juwa, Tira (Kinderma and Limon), Otoro, Heiban and Alleira.

[48] As at Ghulfan, Gulud, Wali, Katla, Temein and Miri.

[49] For example eastern Otoro.

[50] As many Koalib, Alleira and Tira.

almost completely in favour of adjacent lowland clays but continue to live in plateau villages, some of which are now semi-deserted, while many of the Korongo, Masakin and Shat communities who live on low hills to the south have never held any extensive upland tillage and for them there has been relatively little change in the basic distribution of land apart from a downward shift of farmsteads by a few hundred metres.

Finally it must be noted that the tenurial customs of non-Nuba groups in the region are again distinctive from those of the local negroes. Both Arabs and West Africans have their own settlements – usually located in the plains around wells or a water tank – and they also live in smaller numbers in predominantly Nuba villages around many massifs. Thirty years ago there was little similarity between Nuba tenures and practice amongst these more recent settlers. Arab and West African farmers tended to combine features of communal holding with Islamic concepts of partible patrilineal inheritance. At the West African settlement of Berdab, for example, that half of the cultivable area which was cropped each year was tilled communally under the direction of the *omda*.[51] Today custom amongst both groups is much closer to current Nuba practice. Claims to individual ownership over cleared land with associated sale and leasing have become commonplace as most of the clays around the main water points have come under the hoe. In contrast, Nuba tenures have not been greatly modified by contact with Arab ideas, and the only significant change has been the adoption of Islamic law in certain areas where matrilineal descent was once followed.

Conclusion

The fundamentals of Nuba land tenure have not been changed by the downward movement of settlement, the associated expansion of lowland cultivation and ever-growing exposure to outside influences. They are still based on individual ownership with full rights of alienation, even though the intense pressure on agricultural resources that existed in hill communities is rarely found now anywhere in the region. The basic pattern has, however, been modified in detail. In particular, inheritance is less important as a means of obtaining land than thirty years ago, inheritance customs operate in a more flexible way, and the complicated arrangements based on matrilineal descent that were followed in some areas are gradually giving way to simpler patrilineal practice such as exists over much of the region. The composition of individual holdings has also been altered, generally by enlargement of the lowland component at the expense of hill cultivation. Survival of private ownership may, in part, be due to the fact that the land surplus that appears with down-migration is a relatively short-lived condition. Customary procedures of succession to property, together with the more extensive techniques of cultivation now followed, result in a rapid clearing on lowland clays. This, in turn, is creating new land shortages in some of the older areas of low land settlement as favoured soils accessible to permanent water supplies are fully claimed. The only solutions would seem to be migration both within and beyond the region, and intensification of local agriculture.

[51] R. C. Colvin, *op.cit.*, p. 26.

Rationalization of Urban Local Bodies in India

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INDIA became a Sovereign Democratic Republic on 26th January, 1950, and resolved to decentralise the administration in the interest of Development Planning and a Welfare State based upon a Socialistic Pattern of Society.[1] With these new objectives of democratic socialism, decentralization, development planning and welfare state, the importance of local self-government has naturally come to the forefront.

In developing countries, the purpose of decentralization of governmental authority is to enable speedy decision-taking to be carried out so as to accelerate the pace for socio-economic development. Decentralization is achieved "when as many powers and financial resources as possible are returned to the local government."[2]

"Decentralization fosters national unity by local authority participation in National Development Programmes."[3] A very important characteristic of decentralised government is that it contributes towards improved efficiency in the higher echelons of government by relieving them of purely local responsibilities. Decentralization also enables the citizenry to have a better understanding of what the government proposes to do, thereby inducing popular participation. It makes the central government activities more realistic by involving the people in important decisions. Popular participation as visualised by decentralization increases the likelihood that services and amenities once provided will be maintained and even expanded. Decentralization also provides training in self-government, and thus provides support for parliamentary and other representative systems at the national level, and also serves to provide a training ground for future national leaders. Finally decentralization fosters national unity through the participation of local authorities in national development programmes, which strengthen the identification of communities with the national government.

Forms of Decentralization

According to the United Nations Technical Assistance Programme Committee on Decentralization for National and Local Development, 1962, four basic patterns of local self government are identifiable throughout the

[1] Article 40 of the Constitution of India, "The State shall take steps to organize panchayats and endow them with such powers and authorities as may be necessary to enable them to function as units of self government."

[2] An Advisory Committee Report on "Local Government" June, 1955 submitted to the Commission on Inter-governmental relation (U.S.A.), p.1.

[3] United Nations Technical Assistance Programme – Decentralization for National and Local Development, 1962, New York, p. 6.

world. They are Comprehensive, Partnership, Dual and Integrated Administrative Systems.

Under the comprehensive local government system services at the local level are administered through multi-purpose local authorities. Local authorities perform some functions pursuant to general statutory authority and others on behalf of central ministries. This is the pattern in India, Pakistan, Sudan, United Arab Republic and in the early stage of decentralization in Yugoslavia.

Under the partnership local government system some direct services are rendered by the field units of central/state agencies and the remainder by local authorities. Work of central and state agencies is co-ordinated only at the regional level. This system is in operation in Ceylon and in much of anglophone Africa.

Under the dual local government system, central ministries administer technical services directly with local authorities, having legal autonomy to perform local services and to do what they can to foster local development. This pattern is predominant in some Latin American countries.

Under the integrated administrative system, local government bodies directly administer all technical services, while the central government operates as an area co-ordinator with district administrators responsible for field co-ordination. Local authorities have little control over central government staff and activities in their areas. This pattern is to be found in South East Asian and Middle East countries.

The four categories outlined above do not reflect the exact degree of decentralization. Sometimes two or more systems may be found in different parts of the same country, particularly in countries organised on a federal basis and having certain territories directly administered by the national government as in Canada where three out of the four systems mentioned above are all actually working. Nor should it be inferred that these systems of decentralization are static. They are, in fact, constantly changing with the change in philosophy, ideas and needs of a country.

Urban Local Bodies in India

Both urban and rural local bodies in India are of the comprehensive local government system type. Urban authorities are regulated by a host of enactments passed by the different State legislatures. However, definite criteria for constituting urban local bodies have been specified only in a few Acts such as: the Bombay District Municipalities Act 1901, the Mysore Municipal Act 1964, the Rajasthan Municipalities Act 1959, the West Bengal Municipal Act 1932, the Orissa Municipal Act 1950, the Bihar and Orissa Municipal Act 1922, and the Hyderabad District Municipal Act 1956. All these Acts have laid down a certain minimum size of population for constituting municipal bodies, viz, 2,000 in Maharashtra, 3,000 in West Bengal, 5,000 in Bihar and Andhra Pradesh, 8,000 in Rajasthan and 10,000 in the Municipal Acts of Mysore and Orissa. The West Bengal, Bihar and Orissa Municipal Acts also stipulate the occupational composition and

density of population as the other criteria for constituting a municipality, viz, three-quarters of the adult male population should be engaged in non-agricultural pursuits and the density should be more than 1,000 inhabitants per square mile. The nomenclature of these municipalities varies in different States; they are known as District Municipalities in Maharashtra and Town Municipalities in Andhra Pradesh, for example.

Although the Municipal Acts of Madras, Gujarat, Uttar Pradesh, Kerala, Madhya Pradesh, Assam and Punjab do not prescribe any definite criteria for constituting a municipality, however in Madras and Gujarat, the Panchayat Acts contain certain provisions which indirectly prescribe minimum limits for the constitution of municipalities. Municipalities in Madras and Gujarat are constituted for a population of more than 20,000 and 30,000 respectively, and elsewhere state governments are adopting working criteria for setting up municipalities and town Areas. Whereas in Kerala a municipality is constituted only on the basis of population, i.e. a town having more than 15,000 population, in Punjab the practice is to take into account both the population and revenue income – either a town with the minimum population of 10,000 and income of Rs.25,000, or municipalities with less than 10,000 population provided the income level is high. In Uttar Pradesh, the practice is to set up a Town Area Committee with a small population, provided the income is not less than Rs.5,000 per annum. These can be raised to the status of municipalities under the Uttar Pradesh Municipalities Act, 1916, if they exceed 20,000 in population with an annual revenue-income of Rs.40,000. In Madhya Pradesh, urban local bodies are constituted for areas having more than 5,000 predominantly non-agricultural people. The State governments of Himachal Pradesh, Assam and Jammu and Kashmir take not only population but also financial viability and also the adequacy of internal communications within the area as guiding factors without laying down any specific limits. In Assam, urban local bodies are governed by the Assam Municipal Act, 1956 and may be constituted as Town Committees or Municipal Boards according to their importance.

Municipal Acts in the States of Uttar Pradesh, Bihar, Madhya Pradesh, Punjab, Himachal Pradesh and Jammu and Kashmir provide for the constitution of Notified Area Committees to which only certain provisions of the Acts are applied. Special Acts for the constitution of Corporations exist in some States, while in the States of Orissa, Rajasthan, Assam, Punjab and Jammu and Kashmir, there are no Corporations in existence though in some of them steps are being taken to pass special legislation[4] The criteria employed in the various States for constituting the different types of urban local bodies are given in Table 1.

On April 1, 1965, there were some 2,000 urban local bodies of different types; these included:

24 Municipal Corporations,
1,487 Municipal Councils,
327 Town Area Committees,
164 Notified Area Committees.

[4] Report of the Rural-Urban Relationship Committee, Volume II, p. 206.

TABLE I

Population and other criteria for the demarcation of urban local bodies in the States of India

States	*Population (Minimum)* Town Municipalities	City Municipalities	*Income (Minimum)* Town Municipalities Rs.	City Municipalities Rs.
Statutory Limits				
Andhra Pradesh .. (Telengana region)	5,000	15,000	7,000 (*a*)	60,000 (*a*)
Bihar	5,000 (*b*)	—	—	—
Gujarat (*c*) ..	10,000	30,000	—	—
Maharashtra ..	2,000	15,000	—	—
Madras (*d*).. ..	5,000	20,000	10,000	100,000
Mysore (*e*) ..	10,000	50,000	—	—
Orissa	10,000 (*b*)	—	—	—
Rajasthan	8,000	50,000	—	—
West Bengal ..	—	3,000 (*b*)	—	—
Administrative Practice				
Andhra Pradesh .. (Areas other than Telegana region)	—	20,000	—	—
Gujarat	—	20,000	—	—
Kerala	—	15,000	—	25,000
Madhya Pradesh ..	—	5,000	—	—
Punjab	—	10,000 (*f*)	—	25,000
Uttar Pradesh ..	—	20,000	5,000	40,000
Assam	Financial viability, population and communications of the area are taken into account.			
Jammu and Kashmir	Population and importance of the place are taken into account.			
Himachal Pradesh	Population and importance of the place are taken into account.			

Notes:

(a) Only in Administrative Practice.

(b) Additional criteria include: 75 per cent of the adult male population must be non-agricultural and density should be more than 1,000 persons per sq. mile.

(c) Provision contained in the Gujarat Panchayats Act 1961 Section 9.

(d) Provision contained in the Madras Panchayat Act 1958 Section 5.

(e) There is a provision in the Mysore Village Panchayats and Local Boards Act 1959 to constitute a Panchayati Town in areas with population more than 5,000 and annual income more than 10,000.

(f) If the population is less than 10,000 the revenue should be at least Rs. 50,000 pa.

Source: Table adopted from Report of the Rural-Urban Relationship Committee, 966, Government of India, p. 209, Volume II.

The organizational pattern of municipal councils is very much the same in all the states, with the chairman usually acting as an executive head. The other types of local bodies exist only in a few states; for example, Rajasthan has only municipal councils, whereas Uttar Pradesh is a rare State with all the types mentioned above.

By 1966, the number of corporations had risen to twenty-five from three in 1947, the cities of Calcutta, Bombay and Madras. Since corporations carry considerable prestige, power and autonomy (they are much less subject to State control than municipalities), it is generally held that an urban

population of 500,000 and a revenue of one crore* of rupees should be prerequisites to their establishment.

The Town Area Committee is a minor authority which is usually set up for small towns, with its management in the hands either of wholly nominated or wholly elected members, as laid down in the relevant legislation. Its functions are limited and state governments exercise fairly close control. Committees of this type exist in six states and in one union territory.

TABLE II

Number and Types of Urban Local Bodies

States	*Corporations*	*Municipalities*	*T.A.C.*	*N.A.C.*	*Total*
Andhra Pradesh ..	1	127 (*a*)	—	—	128
Assam	—	20	28	—	48
Bihar	1	48	—	39	88
Gujarat	1	56	—	—	57
Jammu and Kashmir.. ..	—	3	6	29	38
Kerala	2	28	1 (*b*)	—	31
Madhya Pradesh ..	4	161	5	1	171
Madras	1	80	—	—	81
Maharashtra ..	4	220 (*c*)	—	—	224
Mysore	2	163 (*d*)	—	9	174
Orissa	—	19	—	40	59
Punjab	—	170	—	5	175
Rajasthan	—	141	—	—	141
Uttar Pradesh ..	5	137	279	38	459
West Bengal ..	2	86	5	1	94
Delhi	1	1	—	—	2
Himachal Pradesh	—	7	3 (*e*)	2	12
Manipur	—	1	—	—	1
Andaman and Nicobar Islands	—	1	—	—	1
Pondicherry ..	—	4 (*Commune*)	—	—	4
Tripura	—	1	—	—	1
Goa, Daman and Diu	—	13	—	—	13
	24(f)	1487	327	164	2002

Notes:

(a) Includes the Town and City Municipalities in the Telengana region and the municipalities in the Andhra region.
(b) Guruvayoor Township.
(c) Includes 18 Borough Municipalities, 82 District Municipalities, 39 Town Municipalities, 16 City Municipalities and 65 Municipalities.
(d) Includes 152 Town Municipalities and 11 City Municipalities.
(e) Small Town Committees.
(f) One more Corporation (Baroda) has been established in 1966.

The particulars in respect of Andhra Pradesh, Bihar and U.P. pertain to the year 1962 and in respect of other states, 1965.

Source: Table adopted from the Report of the Rural Urban Relationship Committee, 1966, Volume 1, p. 132.

A few states have powers under the Municipal Acts to constitute Notified Area Committees, for special urban areas, which do not fulfil the conditions

* *One Crore = 10 million. Ed.*

for the constitution of municipalities. They enjoy all the powers of municipalities except that members and chairmen are nominated. They are to be found in eight states and in one union territory.

The Rural-Urban Relationship Committee appointed in 1963, circulated a questionnaire among states, local bodies, universities, political parties, voluntary organizations and experts for advice on the grading of local bodies and the pattern of local government. Opinions varied on whether any changes were needed and on what shape any such changes should take. Population and annual revenue remained the main yardsticks, with occupational composition of the male population next in importance, followed by the standard of services maintained and the functions actually performed.[5]

In addition, the following tests were also suggested: (a) area; (b) importance of the place, i.e. industrial, commercial, administrative, religious, historical, educational, political, economical, strategic significance, tourist centre; (c) density of population; (d) willingness, civil sense and responsibility of the residents; (e) land use; (f) development potential; and (g) literacy.

While most of those questioned were satisfied with the criteria employed at present to designate urban and rural local bodies, it is worth noting that as many as twenty-five out of thirty-two experts were *dissatisfied* with the present criteria. They advocated additional tests to be deployed for grading a local authority.

The draft outline of the Fourth Plan has brought increasing importance to the role of local bodies because of their participation in the execution of the national development programme. A need, therefore, has arisen for rationalising these bodies, to strengthen them to take up developmental functions as visualised under the Fourth Plan. In many cases local bodies comprise ineffective and non-viable service areas, and frequently lack sufficient resources to command competent administration. Service standards, therefore, suffer and local self-government fails as well. Without improved service standards, a fair distribution of the tax burden and fiscal soundness cannot be achieved. To achieve a well-balanced local unit of government certain conditions must be satisfied. A local authority should be large enough in terms of population and taxable capacity to permit the effective and economical performance of local services; service needs and legal jurisdiction should extend over the same area which should cover an entire integrated community up to the extent of a metropolitan area where one exists.

Therefore, there is a strong case for the abolition of Notified/Town Area Committees and their replacement instead by panchayats or municipalities. The civic value of smaller local bodies is negligible and on their own they would not be able to maintain an adequate standard of services. They have a meagre income accruing from a small population. These areas are mainly rural and party politics often hamper their proper functioning. Further,

[5] *Ibid.*, Volume III, p. 19.

their responsibilities are almost the same as those of the panchayats. There is also a tendency to make the small towns an integral part of the Panchayati Raj, because inclusion of small and even medium-sized towns in Panchayati Raj entitles them to financial assistance available to rural areas under the Community Development Programmes and various plan projects. For these reasons a few marginal municipalities in Rajasthan have preferred to become panchayats. In fact these small municipalities are not economically and administratively viable units. It is also suggested that municipalities with less than a 5,000 population and with an income below Rs.25,000 be converted into panchayats. At a later stage these limits might well be raised to 10,000 and 50,000 respectively.

Leaving aside the municipal corporations set up in the large cities on the one hand and local bodies at places with less than a 5,000 population on the other, there prevails a great disparate range in the size and resources of local bodies. This really calls for their categorisation into suitable grades, if any similarity and comparison in matters of administrative services, civil facilities, taxation efforts, grants-in-aid, performance and the like is to be sought. The Rural Urban Relationship Committee is also of the opinion that "a categorisation of municipal bodies into suitable grades is inescapable".[6]

TABLE III

Basis of existing classification and grading of municipalities

State	*Grade I*	*Grade II*	*Grade III*	*Grade IV*	*Grade V*
Minimum requirements of municipal revenue in Lakhs (100,000s) *of Rupees*					
Kerala	over 5	2 to 5	1½ to 3	under 1½	
Uttar Pradesh ..	over 5	2.5 to 5	1 to 2.5	Rs. 40,000 to 1 lakh	
Bihar	8	3 to 8	1 to 3	under 1 lakh	
Andhra (a) Pradesh ..	6 to 10	3 to 8	under 3		
Rajasthan	2 (b)	2	1–2	Rs.40,000 to 1 lakh	Under Rs.40,000
Madhya Pradesh ..	Population(c) exceeding 50,000	Population 20,000— 50,000	Population 10,000— 20,000	Population below 10,000	
Maharashtra ..	ditto	ditto	Below 20,000		

Notes:

(a) Municipalities with income of Rs. 10 lakhs and above have been given a special grade and those with income of more than Rs. 10 lakhs combined with large population and commercial importance have been classified as Selection Grade.

(b) And a population minimum of 50,000.

(c) Population criteria only.:

Source: R.U.R.C. Report, Volume I, p. 28.

The foregoing Table III provides some classification details where some States have attempted to set their own standards in this direction. Other

[6] *Ibid.*, Volume I, p. 28.

proposals have also been made such as one based on a combination of population size and *per capita* expenditure.[7]

Recently the State of Tamil Nadu has adopted a more realistic approach in grading municipalities. This is based on population, total income and annual *per capita* income as shown in Table IV which follows:

TABLE IV

Tamil Nadu basis for grading municipalities

Grade	*Population*	*Total Income Rs.*	*Per capita Income Rs*
Special Grade ..	Exceeding 2.5 lakhs	75 lakhs	Over 30
Selection Grade ..	1 to 2.5 lakhs	20 lakhs	Over 20
Grade I	50,000 to 1 lakh	7.5 lakhs	Over 15
Grade II	35,000 to 50,000	3.5 lakhs	Over 10
Grade III	Less then 35,000	1 lakh	

Source: Compilation from the Report of the Rural-Urban Relationship Committee p.29

The system followed in Tamil Nadu might well, with some modifications, be adopted in the country as a whole for grading municipalities. Further support for this view is to be found in the recommendations of the Rural-Urban Relationship Committee, 1966 which also favoured the basis prevailing in Tamil Nadu for grading municipalities. Therefore, the following basis is laid down for adoption of the different states of the country for grading the municipalities in their jurisdiction. The revised basis which could be followed is set out in the final following table:—

TABLE V

Suggested basis for grading of municipalities in India

Grade/Class	*Population*	*Total Income Rs.*	*Per capita Income Rs.*
Grade/Class I ..	Exceeding 2.5 lakhs	75 lakhs	More than 30
Grade/Class II ..	1 to 2.5 lakhs	20 lakhs	More than 20
Grade/Class III ..	50,000 to 1 lakh	7.5 lakhs	More than 15
Grade/Class IV ..	35,000 to 50,000	3.5 lakhs	More than 10
Grade/Class V ..	20,000 to 35,000	1 lakh	More than 5
Grade/Class VI ..	5,000 to 20,000	25,000	Below Rs. 5

Should it be decided to grade municipalities nationally on the basis of the proposals in Table V, then it would be for consideration whether a municipality which satisfied two of the three criteria should qualify for a particular grading. It would be wise to allow for some flexibility even while the objective is to achieve a reasonably uniform rationalized grading system. It might therefore be wise to allow in exceptional cases for grading to be based either on population or on revenue only.

[7] Report of the (Zakaria) Committee on Augmentation of Financial Resources for Urban Local Bodies, pp. 32 and 36.

To conclude, decentralization of administration can benefit society in many ways; but to give the best results the decentralization should be directed into economically and administratively viable units. Local bodies in India are of many types, and there is need to rationalize them to make them dynamic. An attempt has been made in this article to indicate the lines upon which the reclassification of Indian local authorities might be carried out. If this can be put into effect, then rationalized and appropriately graded into administratively viable units, they would be the better able efficiently to execute the national development programme as visualised in the Fourth Plan.

Quarterly Notes

United Nations – *UNITAR and a World University*

On 11 December, 1970, the General Assembly of the United Nations adopted a draft resolution (res. 2691(XXV)) on the establishment of an international university. This revised draft resolution, sponsored by thirty-seven countries, invited UNESCO and UNITAR to continue their feasibility studies on the project and the Secretary-General to continue his consultations and studies. He was authorized to establish in due course a panel of experts to assist him, ten of these experts being nominated by governments and designated by the President of the General Assembly and five by the Secretary-General in consultation with the Director-General of UNESCO and the Executive Director of UNITAR.

The UNITAR Board of Trustees expressed the view that there are already institutions within the UN system, notably UNESCO and UNITAR, which are trying to carry out many of the kind of activities with which the proposed university would be concerned. UNITAR itself had been established to carry out "research and study related to the functions and objectives of the United Nations." There are many institutions of advanced studies outside the UN system engaged, wholly or partly, on studies of international significance. Some of them are national institutions, others established jointly for this purpose by a number of governments and/or private foundations.

The Board therefore see the new institution as an instrument to co-ordinate, harmonize and supplement the work done in existing institutions, in order to meet the challenge of a changing world which calls for greater international understanding and co-operation. It should create new institutions only where they prove to be necessary – thereby avoiding needless proliferation; and it should create co-ordinating machinery which in the Board's view should not require to be on a large scale, at least to start with.

Seen in this light, the proposal to create a United Nations International University System is acceptable in principle to the Board of UNITAR, and so is the Secretary-General's suggestion that its aims and objectives should include training, public service, and research in a comprehensive system, functionally and geographically decentralized, but administratively integrated and including a variety of models responsive to the diversity and urgency of the world's needs and our common tasks.

The Board feel that the University should serve the following aims and objectives:

a. the need of the world for internationally oriented scholarship to carry out studies of global problems;

b. the need of scholars for continuing international co-operation for joint consideration of issues with global implications;

c. the needs of the developing world for greater access to and interaction with advanced and advancing scientific thought and applicable technology; and

d. the needs of the United Nations system in all its manifestations – delegations, secretariats and programmes – for permanent scholarly resources of the highest quality.

Source: *UNITAR News, Winter* 1970-71

Africa – *Administrative Framework for Development*

The Public Administration Section of the Economic Commission for Africa (ECA) organized a seminar on "Administrative Framework for Development" for English-speaking African countries which was held at Africa Hall, Addis Ababa, on 7-18 December, 1970. This exercise was part of the effort to assist member States to improve further their administrative capability in order to bridge the existing gap between planning and plan implementation for national development.

The seminar focussed attention on those parts or aspects of the whole State Administration directly concerned with development and variously referred to as development administration, particularly its organization, procedures, and management practices – the administrative framework for development. It envisaged a frank and realistic exchange of views leading to the identification of administrative obstacles to the preparation and implementation of development plans and programmes and to the development of appropriate perspectives and principles tending to indicate possible solutions or measures to improve the existing administrative gap.

The committee appointed to study the subject of consultation with the private sector, made the following recommendation:

"The seminar on the administrative framework for development, recognized the valuable contribution made in the chapter devoted to the consultation with the private sector which had served to highlight the complexity of the problem. It felt, however, that the subject merited an investigation in much greater depth than could be achieved in a single chapter and submitted that the chapter concerned be omitted from the final report and a separate survey should be conducted by the ECA secretariat to make a detailed study into, amongst others, the following aspects of public/private sector relationship:

(a) the role of the private sector in planned development which would include the appropriate consultative machinery needed to ensure effective participation by the private sector and the policy instruments needed to enlist the co-operation of the private sector in carrying out development plans; and

(b) a clear identification of the different roles, characteristics and inter-relationships of national and foreign enterprises."

The plenary session was, however, unable to accept that recommendation. The preponderance of the private sector in the economy of most English-speaking African countries was recognized. All participants felt that the private sector had a major role to play in national development. It might be that, that chapter was not very exhaustive and contained controversial and sensitive issues, yet the need for involving the private sector in the task of social and economic development could not be gainsaid.

The seminar also decided that what heretofore was denominated as Organization and Methods Unit should be called Management Service and its function known as management service work, and that such function should include the study and improvement of organization, procedures, and management practices and not only the methods.

West Indies – *The Administrative Staff College in Jamaica*

In its twenty-two years of existence the Administrative Staff College at Henley has helped a number of other countries to establish similar institutions or to hold occasional courses based on the principles adopted at Henley. Among these countries are Australia, India, Pakistan, Philippines, Iran, East Africa and Ghana. The help given has taken the form of advice on planning and documenting of courses, supply of library material, opportunities for overseas training officers to observe the work of the College and the secondment of senior members of staff from Henley as consultants to the overseas country.

A review of the Jamaican civil service made by the United Nations in 1964-65 recommended, among other things, that more emphasis should be given to training and that a permanent training centre should be set up. Plans for this were put in hand and it was agreed that among the training activities carried out in the new centre would be an annual General Management Course of "Henley type", with participants from the private sector and from other Caribbean countries as well as from the Jamaican civil service.

The permanent centre was unlikely to be ready before 1971-72 and a number of interim measures were taken to implement the UN recommendations. One of these was the appointment of a UN expert in civil service training, who in 1970 began to organize short courses in Jamaica, using leased premises. Another was the decision to hold annually, and in advance of the training centre's availability, a four week General Management Course of the kind already envisaged. Impetus to this decision came from a visit paid by the Jamaican Government Training Officer to the Henley Staff College, where he spent three months observing the course in detail. The course would have to be shortened and in other ways adapted to Jamaican conditions and it was thought advisable to give the Training Officer the support of a consultant from the Staff College.

The Ministry of Overseas Development agreed to finance the secondment of this consultant and the Jamaican Government to provide living and working accommodation for him, and to bear the administrative costs of the

course. Capt. G. A. G. Ormsby was released for the first course held in November, 1969. This was successful enough to be repeated in 1970 when Mr. G. F. Evans-Vaughan was seconded as consultant with similar financial support.

The two courses were sufficiently alike to be described together. Each was planned to be of four weeks' duration, non-residential, with a maximum of forty-four participants representing a cross-section of the Jamaican public and private sectors with some additions from other parts of the Caribbean. Participants were to be organized in small working groups whose members would in turn take responsibility as group chairman or secretary for collective study and discussion. The studies would reflect the Jamaican scene as far as possible by the use of local speakers and documentary material on the social and economic conditions of the country, and by group surveys of governmental and industrial projects, completed or in progress.

In the event each course comprised only thirty-nine participants, the total of seventy-eight being made up of:

Jamaican civil servants	37
Public corporations and statutory bodies	9
Local government officers	6
Other Caribbean countries (Bahamas, Trinidad, Barbados, St. Vincent, St. Lucia, St. Kitts, Dominica)	8
Industry and commerce	18
	78

The disappointingly small numbers from the private sector and from overseas were particularly marked in the 1970 course.

The necessary tutorial staff for the course was provided by the Government Training Officer, the Consultant, secondments from the Jamaican civil service and, in 1970, the UN expert in civil service training. Each course made use of some 35-40 speakers and conference visitors drawn from the University of the West Indies, Government Departments and private enterprises. These were of high standing in their respective fields, including Ministers and members of Embassies and High Commissions. Equally good co-operation was received in the organizing of field trips for the study of projects.

The content of the course of studies was subdivided so as to allow opportunities for all participants to take responsibility for one or more parts of it, within their working groups, but the whole may be summarized under four main heads: organization; employment policy; management of change; and Jamaica in the international trading community. Supporting these principal themes were studies of the behavioural sciences, quantitative techniques, information collection and processing, finance, marketing, industrial relations and the economic and social policies of government.

Each subdivision of the course was introduced by a paper given to each participant, setting out the objective and field of study, time allotted, speakers and films, reading material for individuals and that available for collective study in the small library provided for each group or in the general reference library. To each of the four groups was assigned a member of the course staff who guided the appointed chairmen and secretaries in their duties of organizing group study and discussion, reporting group conclusions to a plenary conference and in some instances producing a written group report.

At the end of each course the participants were invited to take part in an appraisal of its value to them. The outcome was encouraging, showing that those taking part felt they had gained in knowledge and understanding of the problems of administration and had been stimulated to further study of them. There was a strongly expressed desire for working reunions of course participants.

Subsequent to each four week course a two day seminar was held, in 1969 for Permanent Secretaries and in 1970 for Heads of Departments. These senior officers of the public service were given full information about the content and method of the course, especially the concepts arising from the work of behavioural scientists and from such new techniques as "management by objectives". In this way it was hoped to ensure a receptive atmosphere for the participants of the four week course on their return to duty and a better understanding of the kind of officer to be nominated for future courses.

Considerable difficulties attend the preparation and control of a course held only once a year, lacking administrative continuity and using seconded staff and borrowed accommodation. Now that the value of such general management courses has been demonstrated and demand for them aroused it is to be hoped that they will become a regular feature at the proposed new civil service training centre in Jamaica.

International – *World Bank*

The World Bank/IDA Report, 1970

"The World Bank Group approved commitments for economic development amounting for the first time to over $2,000 million during its latest fiscal year, which ended on June 30, 1970. The Annual Report of the Bank and its affiliate, the International Development Association (IDA), records new peak levels of lending by all three members of the Group – the Bank itself, IDA, and the International Finance Corporation (IFC).

"The year's commitments in member countries totalled $2,298 million made up as follows:

World Bank: 69 loans in 39 countries totalling $1,580 million.
IDA: 56 credits in 33 countries totalling $606 million.
IFC: 29 investments in 19 countries totalling $112 million.

In addition, the Bank lent $100 million to IFC during the year.

"Fiscal 1970 was the second year of notable expansion in the World Bank Group's lending activities. The President, Mr. Robert S. McNamara, had stated in his September, 1968 speech to the Boards of Governors that he believed the Group should lend twice as much over the 1969-1973 period as it had in the previous five years. The Report shows that this target is well on the way to being achieved, with sharp increases in all sectors of Bank/IDA financing during the past two years compared with the 1964-1968 average.

Bank/IDA Commitments by Purpose ($ million)

	1964-1968 *average*	1969	1970
Agriculture (pp. 7-13)	124	367	413
Education (pp. 13-16)	31	82	80
Public Services (pp. 16-21)			
Transportation (pp. 17-18)	362	475	661
*Public Utilities (pp. 19-21)	377	485	654
**_Industry_ (pp. 21-24)	141	241	293

* Electric power, telecommunications, water supply and sewerage.

** Excludes industrial imports credits.

In addition to the amounts shown above, the year's loans and credits also included one IDA credit for *industrial imports* (of $75 million: p. 24), the Group's first commitment for *family planning* (a Bank loan of $2 million: p. 24) and a number of IDA credits for *project preparation* (totalling $9 million: p. 27).

Lending was again widely spread throughout the developing world in fiscal 1970. Lending by area showed marked increases over the previous year and the 1964-1968 average for all developing areas."

(A summary of fiscal 1970 lending by area appears on page 8 of the Report: comparative figures for the year under review and previous years are shown below.)

Bank/IDA Commitments by Area ($ million)

	1964-1968 *Average*	1969	1970
Africa (chart, p. 15)	161	345	443
Asia (chart, p. 16)	486	788	869
Europe (chart, p. 20)	149	180	161
Latin America and Caribbean (chart, p. 25)	310	472	714

As well as sharply increasing its lending operations for physical projects, the Group also continued to expand its technical assistance and other activities during fiscal 1970. The Report notes that many of the year's loans and credits contained allocations of funds for technical assistance: such funds totalled over $40 million in fiscal 1970 (p. 27). As already noted, a

number of IDA credits were made during the year for project preparation work; in addition, the Bank made one technical assistance grant in fiscal 1970, and acted as Executing Agency for technical assistance studies financed by the United Nations Development Programme (UNDP).

The Bank's activities during its latest fiscal year took place against a background of much more solid achievement but a number of continuing problems in the world economic development effort. The achievements noted in the general introduction to the Report include a 6.7 per cent increase in 1969 in the gross domestic product of the developing countries taken as a group, a nine per cent increase in 1969 in their exports, further new investment in physical infrastructure and significant increases in agricultural production and advances in industrialization in a number of countries. The Report also notes the increased ability of the developing countries to make productive use of new external capital, public and private, as their managerial and organizational capacities increase, and as infrastructure projects initiated in earlier years come to fruition.

Against this, according to the Report, must be set the persistence of a number of constraints holding back development which have not significantly diminished during the year under review. These include problems of many countries' dependence on primary products for export earnings; of access to markets in the developed world for their exports; of domestic resource mobilization and the availability of external funds for new development projects; and of service payments on external debt in the cases of some countries.

The British Institute of International and Comparative Law

Conference on Methods of Law Reform in the Commonwealth

A very successful conference on "Methods of Law Reform in the Commonwealth" was held under the auspices of the British Institute of International and Comparative Law at Cumberland Lodge, Windsor Great Park, during the week-end of 23rd to 26th April, 1971.

The conference was opened on Friday, 23rd April, by the Rt. Hon. Lord Denning, Master of the Rolls, who gave a short introductory address and took the chair at the session that followed at which a lecture was given by Mr. Norman S. Marsh, Q.C., a Member of the English Law Commission, on "Law Reform in the United Kingdom: A new Institutional Approach".

Proceedings on the second day began with papers by Mr. Alastair Johnston, Q.C., a Member of the Scottish Law Commission, on "The Position of the Scottish Law Commission" and by Mr. A. G. Donaldson, Director of Law Reform, Northern Ireland, on "The Position in Northern Ireland". The Chairman was the Rt. Hon. Lord Cross, a Lord of Appeal in Ordinary and Chairman of the Commonwealth Sub-Committee of the British Institute. At the next session papers were read by Mr. R. E. Walker, former Executive Member of the New South Wales Law Reform Commission, on "Law

Reform in New South Wales" and by Mr. Raymund Smith, a Member of the Queensland Law Reform Commission on "Law Reform in Queensland", Professor Louis Waller of Monash University, Victoria, took the chair.

In the afternoon Mr. N. L. Vaidyanathan, Legal Adviser to the Indian High Commission in the United Kingdom, read a paper written by Mr. P. M. Bakshi, Secretary of the Indian Law Commission on "Methods of Law Reform in India". This was followed by a speech by Mr. W. S. Weerasooria on "The Legal Position in Ceylon". The Chairman at this session was Mr. H. H. Marshall, Q.C., Deputy Director of the British Institute. After dinner, a paper was read by Mr. H. Allan Leal, Q.C., Chairman of the Ontario Law Reform Commission, on "Methods of Law Reform in Canada", the Chairman being Mr. Norman S. Marsh, Q.C.

The morning of the third day, which was a Sunday, was left free. After lunch a paper was read by Mrs. Shirley I. Miller, Assistant Attorney-General and Secretary of the Law Reform Commission of Jamaica, on "Law Reform in Jamaica". The Chairman at this session was Mr. H. Allan Leal, Q.C. This was followed by a discussion session presided over by Mr. Norman S. Marsh, Q.C., at which all papers at the conference were considered and questions on them answered.

Among those present, in addition to those specially mentioned above, were Mr. C. G. Powles, Barrister and Solicitor of Wellington, New Zealand, Mr. K. G. Philip and Mr. P. Stenning, Research Officers of the British Institute and Miss M. Whyle, Secretary to the Deputy Director of the British Institute. There were present altogether twenty senior guests; and thirty-three students of whom four were from Australia, three from Nigeria and Sierra Leone, two each from Guyana, India, Jamaica and New Zealand and one each from Bahamas, Barbados, British Honduras, Canada, Hong Kong, Malaysia, Mauritius, Pakistan, Rhodesia, Singapore, South Africa, Trinidad, Uganda and Zambia.

It was a great pleasure to the Institute to welcome to the conference Mrs. Vaidyanathan, Mrs. Smith and Mrs. Marshall. Their presence greatly added to the social atmosphere and the enjoyment of the occasion.

International – *I.U.L.A. Seminar*

First Regional Seminar

The first regional seminar held as part of I.U.L.A's training programme took place in Georgetown, Guyana, from 8th to 18th March, 1971. The seminar was designed for the English speaking Caribbean area and was held in collaboration with the Economic Commission for Latin America (Caribbean Office) and with the Public Administration Division of the United Nations, New York. The nineteen participants represented Guyana, Jamaica, Trinidad and Tobago, St. Lucia, Dominica, St. Kitts, Suriname and St. Vincent.

The study was financed by the Netherlands Government and included support from the University of Amsterdam, the University of the West Indies, the University of Guyana and the German Foundation for Developing Countries. The subject of the study was Central services to local authorities in the Caribbean.

Source: I.U.L.A. Newsletter, April, 1971

Britain – *Rhodes House Library*

A list of manuscript collections of Africana was compiled in 1968 by the Superintendent of the Rhodes House library at Oxford. Nearly 1,300 entries were included (together with shelf numbers) for collections catalogued up to the end of 1967. Since then over 500 additional collections have been received and these have now been included in a supplement to the original catalogue and is about to be published, covering accessions to the library for 1968-1970. Copies will be available from the Library at 75p ($2.50) post free.

Book Reviews

"INDUSTRY AND TRADE IN SOME DEVELOPING COUNTRIES: A COMPARATIVE STUDY", by IAN LITTLE, TIBOR SCITOVSKY and MAURICE SCOTT; *published by Oxford University Press for the OECD Development Centre*, 1970. £4.50.

From late 1965 to 1969, the Development Centre of the OECD carried out a study of the industrialization of the developing countries, under the general direction of the authors of the volume under review. The countries studied - Argentina, Brazil, Mexico, the Philippines, India, Pakistan and Taiwan - have all had substantial experience of industrialization, and in terms both of population and output make up more than half of the developing world. Separate volumes have been published analysing the individual experience of these countries (except for Argentina); this book is a comparative study of the findings of the whole research project, which is one of the largest yet undertaken by the Development Centre. The three authors, with their ability to combine careful marshalling of facts with clarity of analysis, have produced an outstanding contribution on an important and complex topic.

After an introductory chapter (which gives a useful summary of the main conclusions of the study), the book falls into two parts. Chapters two to six consider the industrialization of the seven countries – what success has been achieved, what errors have been made, with the focus all the time on the role played by government policy. Chapters seven to ten consider the prospects for increasing developing countries' exports, including (in Chapter eight) a discussion of the assistance developed countries could provide through changes in their trade and trade-related policies. The emphasis on exports in the book is a timely one, in the light of the recent concern with the developing countries' export performance, which has led, *inter alia*, to the Generalized Preferences Scheme. It is worthwhile to run briefly over the causes for this concern.

In the late 1940's and almost throughout the 1950's, two distinct influences led to the stress on the role of industrialization in development. On the one hand, the governments of many developing countries desired to diversify out of primary commodities, and by doing so to reduce their dependence on the developed world for manufactured goods. This was not merely an economic manifestation of nationalism, although nationalism played a role, if only in making this strategy popular. The major factors were the slow growth and instability of export markets and of import supplies, experienced at first as a result of the Depression in the 1930's, and as a result of longer term trends and as a side effect of the Second World War. On the other hand, the influence of Keynes's ideas led early theorists of the development process to emphasize the role of capital investment as a means of increasing the productivity of labour and of expanding output rapidly. That these theories, however relevant in the context of the very different social structure of the developed

world were of limited applicability in the developing countries, did not become apparent for some time. And there was always the example of the autarchic but successful development of the Soviet Union with its concentration on heavy industry. All these ideas pointed to rapid industrialization as the *sine qua non* of development; industrialization, moreover, based on import substitution behind protective barriers, which beside giving the infant industries of the developing countries a "fair start" until such time as they would become competitive with the established industries in the developed countries, had the added advantages of providing a source of government revenue (from the tariffs), of saving foreign exchange, of compelling consumers to pay a higher price for manufactured goods, thus creating additional savings for industrialization. For a time, many countries achieved impressive rates of growth by following these and allied policies, but by the early 1960's it was clear that there were serious drawbacks.

It is the importance of this book that it describes, clearly and fairly, what these drawbacks were. The study demonstrates, beyond serious contention, that very high levels of protection, while allowing a rapid increase in industrial output, do so in a way that discriminates against exports and against the agricultural sector. Too often, when the scope for viable import-substitution is exhausted, an inefficient industrial sector has been created, incapable of competing in international markets, with very low levels of capacity utilization, and with too many firms in the position of being perpetual pensioners on the policy of high levels of protection. Further, the extensive involvement of governments in the detailed decision-making of the industrial sector often leads to frustrating delays, misallocation of resources away from the potentially most efficient firms, and the corruption of both management and the civil service.

Although the picture is a depressing one, the Development Centre study is not pessimistic. The experience of industrialization to date, and the experience of countries such as Mexico and Taiwan which have reversed out of the developmental cul-de-sac described above, demonstrate the crucial influence that government policy has on the development process. It is the policies that have been wrong, rather than the principle of government intervention. As the study points out, infant industries must be assisted to overcome the temporary disadvantages that they face; but giving trade protection all too often makes the temporary disadvantages permanent ones. If wages, for example, exceed the actual value of labour to an employer, it is better to subsidize the use of labour (by an inverted Selective Employment Tax?) rather than artificially cheapen capital, the really scarce resource in most developing countries. Laissez-faire is not the answer: it is rather that policies must be adapted to attack the causes of problems, rather than to alleviate the symptoms. The experience of developing countries such as Mexico shows that this can be done, and done with considerable success. But time is important: the longer "cul-de-sac" policies are pursued, the stronger become the vested interests dependent on the continuation of the policies; and the less appropriate the industrial structure becomes for the achievement of rapid and efficient growth.

In Chapter 8 some interesting and important suggestions are made on how adjustment assistance could be provided in developed countries to facilitate the running-down of inefficient industries faced with competition from the exports of the developing countries. It is suggested that the cost of such assistance would be much less than is usually thought. More details would have been of interest.

Among the current flood of books on development, this study is one of major importance. It is essential reading for economists working in the development field: but even more so for those actively administering the development efforts of two-thirds of mankind.

J. GILHOOLY

WEST AFRICAN CHIEFS: THEIR CHANGING STATUS UNDER COLONIAL RULE AND INDEPENDENCE, edited by MICHAEL CROWDER and OBARO IKIME; *University of Ife Press* 1970; pp. xxix, 453; £3.00, paperback £1.10 in Nigeria; £7.35 abroad.

While this important symposium on the changing status of chiefs in West Africa was being printed for the University of Ife press, this reviewer was unknowingly advocating to an international seminar held in the same University an eventual inter-disciplinary research project to explore that remarkable phenomenon of West Africa: the persistence of chieftaincy. Its continuity, albeit in change, is all the more remarkable when it is contrasted with the post-independence eclipse of the princely classes of India. Indeed, one could wish that the organizers of this seminar held at Ife in December 1968, at which many of the contributions now reproduced in this valuable volume were first presented, might have invited a comparative paper from such a close observer of Indian government as Professor D. A. Low of Sussex University, whose informed views on why natural rulers "succeeded" in West Africa and "failed" in India – on both sides of independence – are always stimulating to an Africanist audience. It would, too, have been instructive to study the paradoxical growth of chiefly consciousness contemporaneous with the spread of the principle of "one man, one vote" among say the egalitarian Tiv of the 1940's or the Birom with their lurch towards Hausafication in the 1960's or the superficially no less surprising jump in the 1950's of the Ibo (classified along with the Tiv in the Fortes/Evans-Pritchard model as segmented societies par excellence) onto the chiefly bandwaggon. Yet to lament the book that an author "should" have written is surely the reviewer's cardinal sin; and the generous attention to the role of chiefs in francophone Africa, polarized with that of the classical Fulani emirs of central Hausaland, brings a new and welcome dimension to this thoughtful and thought-provoking collection of essays.

The range of chieftancy in West Africa is enormous. A chief is not *eo nomine* a natural ruler. The Sultan of Sokoto, the Limba chiefs of Sierra Leone, the warrant chiefs of colonial Eastern Nigeria, the Maimaina of Askira type of appointment, the element of divine kingship in the Jukun or Igala rulers, the Mumuye rain priest chief, and the extension of a chiefly title from an

ascriptive to an achievement status promoted by the advent of party politics and the inevitable system of reward for services rendered to party or community, provide a vast spectrum of the nature and function of West African chiefs. Even the once assumed similarity between the Fulani *sarakuna* and the Yoruba *obas* was more apparent than real, as Lugard found to his cost when he tried to tend his successful system of indirect rule (one may in passing applaud the editorial device of designating the specific Northern version of indirect rule as "Indirect Rule") Southwestwards from Hausaland with such conspicuous failure – though not quite so conspicuous as that attaching to the *chercher le roi* imbroglio of Eastern Nigeria in the late 1920's. Only just in time did the new-broomsweeping Governor caution administrators, exalted by the sweet scent of success in Kano, against looking for a head on which to place their copious crowns. Such a range of chieftainship raises as many problems for a reviewer as it did for the seminar. Rather than attempt an analysis of the assumptions of this volume or a critique of its conclusions (a procedure that would inevitably reveal to the reader more about the reviewer's evaluation of chiefs in West Africa than about the authoritative assessment of the score or so of contributors), the best service that could be rendered to the readership of this Journal may be to identify the kinds of problems dealt with in the book and to indicate the focus of sample essays.

In order to bring out the similarities and differences in not only the diversity of chieftainship in West Africa but also in the implementation of British and French colonial policy towards chiefs, seven basic areas for examination were agreed:

1. Were the chiefs who ruled during the colonial period ones who traditionally would have had the right to assume the chieftaincy?
2. How far did the colonial power interfere in the selection of candidates for appointment as chief? (The same question may legitimately be put for the actions of many political parties after independence)
3. Did the chief rule over the same area that his pre-colonial predecessor did?
4. What was the relationship between the chief and the European political officer?
5. How far did the chief retain his legal powers as a dispenser of justice and the one responsible for the maintenance of law and order? Did he maintain a police force? Did he run prisons?
6. How far did the chiefs lose or gain popularity under colonial rule?
7. What changes in the economic position of the chief took place under colonial rule?

A parallel catachism for chiefs in the era of active decolonization and later under elected African governments was not drawn up. It would be valid; and fascinating, too, as a number of current studies of political Africa indicate.

After a sound scene-setting contribution by Pierre Alexandre on the interrelationships between chiefs, *Commandants* and clerks and on the general problems in the old A.O.F., and one by John Smith discussing the very

different relationship between the Political Officer and the *sarki* in Northern Nigeria, we have a series of case-studies. Too numerous to list here (they total seventeen), their scope may be gathered by such titles as the "chief-in-transition" treatment of the changing status of the "Emperor of the Mossi" or the Alafin of Oyo or the Obas of Benin under colonial and nationalist rule; the full-blooded emirate focus of kingship in Kano and in Bornu; and the impact of political parties such as the RDS in Fouta-Djalon and the CPP in Ghana on the resilient institution of chieftainship in the respective countries. All in all, we have a volume marked by its welcome offering of something for everybody, a lot for all, and exceptional value for money.

Since this seminar was held at Ife, drastic changes have taken place in Nigeria. Even classic Kano, the seat of one of the most powerful of traditional rulers in the whole Continent during the colonial period (and in no small measure beyond, as history shows) has seen the Emir's functions modified and the hallowed term *en'e* – long used without much care in distinguishing the decision-making "Native Authority" from the executive bureaucracy of "Native Administration" – abolished in favour of the commonplace idiom of local government. Whether the change in spirit keeps pace with that in form remains to be seen. John Smith has one view: "Presentday Nigeria can no more do without the chief than could the British". The editors have another, seeing the chief as either becoming more and more politicized in his go-between role or else retaining at the real grassroots level a ceremonial function and his age-old status as father of all his people regardless of political affiliation. One contributor has no doubts. He foresees a bright future for the chief in Africa – as a dazzling item for monarchy-starved European tourists!

Ably edited, and enhanced with a substantial Introduction, by Messrs. Crowder and Ikime – the latter also contributes a chapter in his own right – the book wisely omits the standard symposium apparatus of a drawing-together concluding chapter. The complexity and state of flux of chieftaincy in West Africa rules such an exercise firmly out. This well-argued and deeply documented volume of 450 pages offers important reading for African historians, political scientists and social anthropologists alike, and will surely earn an indispensable place in any future analysis of the role, responsibilities and record of chieftainship in West Africa.

A. H. M. KIRK-GREENE

THE ROLE OF THE TRYPANOSOMIASES IN AFRICAN ECOLOGY. A STUDY OF THE TSETSE-FLY PROBLEM, by JOHN FORD; *Oxford University Press*, 1971; £6.50.

This book is not merely for the expert, although he will of course read it and will find in it much that is stimulating and controversial. Anyone interested in Africa and its history and development will find it fascinating, and the administrator should read it wherever he may be for the lessons it teaches are applicable not only to Africa.

Five introductory chapters provide the basic information on trypanosomes and tsetse flies necessary for a full understanding of the author's thesis, but the main part of the work is devoted to detailed description and analysis of the situation in five areas where the tsetse fly and sleeping sickness or animal trypanosomiasis are major problems – Karagwe and Ankole to the west of Lake Victoria, Sukumaland to the south and east of the lake, Busoga and Samia to the north-east, and Rhodesia and Nigeria. The picture in the past is compared with what followed the "biological catastrophe of the colonial impact." . . . "For some two thousand years African agricultural and pastoral people had gradually eliminated their hunting and gathering predecessors and had achieved a mobile ecological equilibrium with the wildlife ecosystems and their associated diseases." Prehistory, early history, and the accounts of men such as Speke, Grant, Stanley and Emin Pasha illustrate the disastrous effects of the introduction of, for example, the jigger flea from South America and rinderpest from Europe, and if there was one factor more than any other which ensured the destruction of the ancient equilibrium, it was the imposition of international boundaries which took no account of the natural frontier zones.

For long, it has been held that epidemics of sleeping sickness followed the freedom of movement granted by the *pax Britannica*, but we are shown that this was no *pax* but, in effect, a war – ". . . the succession of epidemics, epizootics, and famines that the coming of the European provoked brought down upon populations as uncomprehending as themselves a biological warfare that had devastating consequences."

Such is the theme throughout the book, and there is perhaps a danger that if it is read without proper understanding the impression may be gained that nothing should be done, for the examples of ill effects from some well-intentioned measure are all too many. But this is far from the author's intention, for there is no one with greater concern for the Africa where he has spent so much of his life and travelled so widely. Indeed, in his preface, he urges the scientist to find a basis for alternative strategies if his work appears unlikely to have the expected results. In short, we are asked to think before we act. Sir Richard Burton, he says bluntly, was quite wrong in supposing that the African tropics would become an agricultural paradise if the tsetse could be removed. Unfortunately the efforts of the entomologists, among whom the author is one of the most distinguished, have often been directed at the eradication of the tsetse fly without regard to the real need or the possible consequences – and the entomologist is not alone. If only these workers could have read this book, but we have an advantage in that we can enjoy it – and its superb writing – and can profit from it and try to avoid the mistakes of the past. True, it provides no ready answers, but it does furnish from a wealth of knowledge and experience a background which those who have to take decisions, whether scientists or administrators, will find invaluable.

A bibliography of over 700 references includes not only the relevant literature on trypanosomes and the tsetse fly, but also many works on history, travel and ethnology.

F. I. C. APTED

PUBLIC LAW AND POLITICAL CHANGE IN KENYA – A STUDY OF THE LEGAL FRAMEWORK OF GOVERNMENT FROM COLONIAL TIMES TO THE PRESENT, by Y. P. GHAI and J. P. W. B. MCAUSLAN; *Oxford University Press*, 1970; pp. 526; £6.75.

It was with some trepidation that I approached this study, not only because of its length but with many of the prejudices that one tends to associate with studies of "constitutionalism" by authors with a legal background. Without in any way being condescending, I was pleasantly surprised by this excellent piece of work. The book sets out to explore the historical development of public law in Kenya from its colonial origins to the present.

The preface itself is a short essay on the need to relate public law to political reality. The authors (rightly) attack books on constitutional law which disregard political, economic and social change and also see constitutions as being mere static phenomena.

"All African countries have great need for lawyers who can take their eyes off the books of rules, who can see more to law than a set of statutes and law reports, and who can understand something of the workings of the legal system in a fast-changing society, and the contribution the law can make to these changes."

The book is divided into two parts with a short concluding summary of what they mean by "constitutionalism". The first part deals with the colonial era and argues with great conviction that one cannot understand Kenya today without a study of the colonial period and the inherited values and institutions bequeathed to the independent state. In discussing the relationships in a colonial system, there is the conflict between those who associate law with notions of justice, protection of rights, equality before the law. The authors see "constitutionalism" as a combination of the latter notion of law with the need to limit the power of government and the idea of representation. Colonialism was (and is) an autocratic form of government with an authoritarian administrative structure. It is true that direct expressions of this were obvious in the years leading to independence, but this does not invalidate the thesis that the political tradition (as one can talk in such terms in the African context) was both autocratic and authoritarian. It is this tradition that the authors see as being one of the greatest challenges in Kenya today. With a muted note of regret they warn of the dangers involved in the accumulation of powers over institutions sought and in many cases achieved by Ministers as a means of rewarding supporters and penalizing opponents.

Is it the case that Kenya is now in that much-discussed category of a "one-party state"? Here one is involved in the typological controversy of what is "a political party". It is argued in this book that present day Kenya is becoming increasingly bureaucratic, in the sense that the dominating party (and since 1969 with the banning of KPU, the only party) KANU plays a decreasing role in political life. The focus of power has shifted steadily towards the Executive and in particular the President. Although the "one-party state" has not been written into the law as in some African states, there is nevertheless administrative discouragement of expressions of discontent, particularly where there is the possibility of the formation of political groups opposed to KANU.

Perhaps the most fascinating aspects of this book are the parts dealing with problems of land and agrarian policy. Here the language of the authors takes on a decidedly angry tone, castigating colonial officials and Whitehall for their treatment of the Africans.

". . . it is also unrealistic and not a little hypocritical to suggest that one of the main benefits of British colonialism was the introduction of the Rule of Law into Africa, for if that concept means anything it means that the law should help the weak and control the strong and not vice versa."

The Crown Lands Ordinance of 1915 effectively disinherited Africans from their land, thus allowing the alienation of land to white settlers. Even before 1915, say the authors, the *Masai Case* had established that land could be taken away by legislation. The Ordinance of 1915 gave expression to this view by defining Crown Lands as: ". . . to include land occupied by native tribes, and land reserved by the Governor for the use and support of members of the native tribes." The Ordinance also made it clear that Africans were not allowed to alienate land either occupied or reserved for them.

It may be argued that Whitehall believed that this would protect the Africans. However, this raises two interesting issues, namely, the gap between law made and/or sanctioned in Whitehall and the practice on the spot. How far were the Africans subject to administrative coercion over the question of land? The whole question of Whitehall control over colonial officials on the spot has been brilliantly explored by I. F. Nicolson in his book "The Administration of Nigeria, 1900 to 1960". Nicolson's chapter on Lugard's "regime" in Northern Nigeria shows the difficulty of exercising control over officials actually on the spot (although few officials could call on the services of a wife so obviously well-skilled in the dissemination of propaganda). In Kenya the problem was further complicated by the presence of white settlers. Here again, legislation was used to further their interests. The Discharged Soldiers Settlement Ordinance 1919 earmarked nearly 2 million acres for white settlement. The land came largely from a Nandi reserve, with no compensation. The authors make the point that apart from legislation there were administrative activities largely aimed at discriminating in favour of white settlers. Here they cite the example of the registers kept by District Commissioners of coffee plantations and the issuing of registration certificates, both of which were used to discourage Africans entering the field of coffee growing. It was the advent of the Second World War and the emphasis on production that gave Africans an opportunity to move into coffee and cash crops in substantial numbers.

The authors see the development of agrarian policy as emphasising the predominant position of the white settlers. In the 1930's with the fall in primary product prices, thus depressing agriculture, the government intervened directly to assist white farmers.

". . . from the early thirties onwards he (the white settler) was heavily dependent on direct government action to safeguard his economic no less than his physical position in Kenya and succeeding years only increased this dependence."

As in many African colonies the great problem for African agriculture was the lack of credit. In the Gold Coast (Ghana) cocoa industry which was almost totally African, there was constant conflict with the farmers over this and other questions. Banks refused to give credit and farmers fell deeper into debt to money lenders and produce brokers. The Gold Coast Government refused to alleviate this position with credit advances to farmers. What they did was to set up a system of co-operative societies which had to develop sufficient funds from farmers themselves, to operate a system of credit. Clearly co-operatives can only be a long-term answer to the problem of rural indebtedness.

It is difficult to do justice to such a large study in a short review. However, it deserves a wide market among political scientists, historians, economists, as well as law students. If indeed it does inspire African lawyers to "take their eyes off the books of rules" it will have made a worthwhile contribution.

J. A. CRAIG

LOCAL GOVERNMENT INSTITUTIONS IN RURAL INDIA, Ed. R. N. HALDIPUR and V. R. K. PARAMAHAMSA; *National Institute of Community Development, Hyderabad*; index; pp. 347; Rupees 30.

This volume contains the proceedings of a high level seminar convened by the Indian National Institute of Community Development, in October 1969, to discuss the problems of Panchayati Raj and to examine the causes of the general feeling of frustration that has engendered much of the criticism currently being aimed at local government bodies in India. From participants who were largely practitioners of local government and academics, the principal recommendations made and conclusions drawn can be summarized as follows:–

The Panchayati Raj system had come to stay. The three tier system should be retained and the Samiti (middle) tier strengthened. At the upper (Zilla Parishad) level with its primarily deliberative functions, membership should be by direct election, officials and legislators should be excluded, with some power to co-opt (this with scheduled castes and women *inter alios* in mind). There should be a separate Panchayati Raj service in each State. The equivalent of a Public Accounts Committee should be set up at district level in each state, greater publicity should be given to local body accounts and State governments should review the local government taxation system and lay down obligatory taxes, consider tax sharing of their own revenue with local authorities; rural savings were considerably on the increase and these should be tapped for local development purposes. A strong state-level Panchayat Board should be set up by statute to review, watch and control the system. At the same time greater autonomy was urged for Panchayati bodies (how to match the new control with the new autonomy was not examined, nor in sufficient depth the steps needed to ensure responsibility and accountability for better revenue collecting).

Planning should be undertaken at the district level, the value of the collector's role as government's "eyes and ears" was emphasised (contrary perhaps to expectation in view of much recent criticism of his "overlord" "neo-colonial" powers allegedly inhibiting local autonomy and local initiatives); the role of co-operatives in rural development should be encouraged with greater co-operative participation in local planning etc., and in the production of a special programme for small farmers. The often notorious friction between officials and non-officials to be reduced by greater autonomy being given to local authorities with their executives their own and not State employees.

"Conceived in political romanticism, Panchayati Raj manifests a political vigour that cannot be stemmed" – that is the message of this valuable seminar, notwithstanding the volume of criticism that the system has evoked for its failure to revolutionise the social, economic and political life of rural India, by the wave of a magic wand, as some idealists had hoped.

Critics and protagonists of Panchayati Raj alike will find much of interest in these well recorded proceedings. This is a volume which all those interested in democratic rural local government in India should read.

P.H.J.

Book Notes

WORLD DEVELOPMENT HANDBOOK, by JULIET CLIFFORD and GAVIN OSMOND; *Charles Knight for Overseas Development Institute,* 1971; tables, appendix, index; pp. 172; £2.25.

What is aid all about? Is it "a good thing"? In this small volume the ODI authors have marshalled in orderly and concise fashion, a very large number of facts and figures, thoughts and guidelines – all set out in a readily understood format – that go far to answer these two questions. This is a book aimed, one imagines, principally at the "lay" reader in Britain who is not personally involved in the Aid field and who reads or hears a great deal of conflicting news about development in the Third World.

The constraint imposed by the population explosion is highlighted in the figures for Latin America where an average for the period 1960–67 in the annual growth in GDP amounted to 4.5 per cent in population to 2.9 per cent and (as a result) in GDP *per capita* to 1.6 per cent, jointly with Africa at the bottom of the Continental table.

Over 40 Tables are included and the statistics provided show *inter alia* that 68 per cent of the world have an annual GNP of under $500 *per capita*, nearly 85 per cent under $1,000, while 6 per cent enjoy a GNP exceeding $2,500. Attention is drawn clearly to the large proportion of youth in the population of developing countries – due, of course, in part to the comparatively short expectation of life.

Besides providing the "lay" reader with a wealth of useful up-to-date information and a balanced commentary on the performance of international aid, this is a reference book that will be of interest and value to aid "activists" as well, in government offices, in voluntary agencies and in the field overseas.

ESSAYS ON GHANDIAN POLITICS – THE ROWLATT SATYAGRAHA OF 1919; Ed. R. KUMAR; *Clarendon Press: Oxford University Press* 1971; Glossary, index; pp. 347; £3.25.

Ghandi returned to India from South Africa in 1915 and four years later, at the end of World War I, emerged as the major nationalist leader with whom the British Raj had to contend. The ten scholarly essays comprising this volume were contributed at a symposium held in Canberra to discuss the politics of Ghandi during this period when the Government of India faced its greatest political crisis since the mutiny in the previous century, when disorder was rife, when hawks called for repressive measures and doves counselled moderation.

Space permits mention of three studies only. Professor Barham traces the influence that affected Ghandi's philosophy in his youth and early manhood; Mr. Van Den Dungen traces the evolution of loyalist into rebel; Professor Low examines the dilemma that faced the Viceroy, Lord Reading, who emerges with high credit for the moderation of his policies pursued notwithstanding opposition from his own cabinet, protests from provincial Governors and from the Chief of Staff, criticism from the Imperial Government. He held out, supporting the doves long enough to gain respite from nationalist pressures for the Montague-Chelmsford reforms to take effect. The dilemma was one of high policy. To repress lawlessness quickly and sternly and jeopardise future support from moderate Indian opinion, or to postpone the arrest of Ghandi and to limit repressive measures and possibly jeopardise the capacity of the government to resume effective control of the country.

By the time Ghandi was arrested, he, himself was expecting it and had warned his followers against violence when it took place; extremist nationalist violence at Chauri Chaura had alienated the moderates from Congress. The non-co-operation movement's impetus was waning of its own accord where suppression might well have stimulated increasing activity. Fortunately for India both Ghandi and the Viceroy had one common objective, the avoidance of violence. When this took place Ghandi called off his campaign, while the Viceroy with every precedent and under

every pressure to use force, chose "to advance towards constitutional concession". Not every Viceroy would have heartened to Sapru (Law member on his Council) instead of his experienced Governors in the field.

It is largely of academic interest that the spark that set alight Ghandi's non-co-operation movement was the enticement of the Rowlatt Act of 1919 introduced as a means of dealing more effectively with "revolutionary crime". It was their infringement of the citizen's liberties as he saw them, that moved Ghandi to raise his standard.

WEST AFRICAN RESISTANCE – THE MILITARY RESPONSE TO COLONIAL OCCUPATION, Ed. MICHAEL CROWDER; *Hutchinson*, 1971; illustrated, maps, index; pp. 314; £6.00 (cased), £2.50 (paperback).

There have been many accounts of Colonial campaigns, punitive expeditions, pacification enterprises – invariably written by Western soldiers or historians, invariably from the viewpoint of the colonial forces engaged – in part, no doubt, for want of readibly available information about the military organization the "other side". One is aware of course, that better training, better discipline, better weapons and bigger guns, tended to make relatively small numbers of colonial troops invincible against ill-equipped and ill-trained local levies: history provides some exceptions, but not very many.

In this volume, Professor Crowder has collated nine essays each giving an account of West African resistance to colonial occupation and providing much new or little known information as to how the African forces were mobilised, armed and how they campaigned against British and French troops and their auxiliaries. Coastwise in an area from Dakar to Calabar, inland from Bakel in the West, to Banako, on to Niamey in the North and to Yola in the East, battles were fought, African Empires were lost and new territories added to British and French Imperial possessions.

This is a very useful addition to historiography of West Africa, a mine of interesting information for military historians and students of resistance.

VICTORIAN ATTITUDES TO RACE, by CHRISTINE BOLT; *Routledge and Kegan, Paul, London*, 1971; appendix, bibliography and index; pp. 254; £3.00.

Dr. Bolt quotes James Bryce when he remarked that "no branches of historical inquiry have suffered more from fanciful speculation than those which relate to the origins and attributes of the races of men." Many Victorians were tempted by hypotheses impossible to verify yet almost impossible for want of data to refute. Hence, in part, the Nineteenth Century attitudes that seem so very uncivilized to the Twentieth Century reader. Having defeated Napoleon, having invented the industrial revolution, having conquered or acquired countries and peoples all over the globe, in Victorian eyes the British were superior – there was no place for argument – to other people and particularly to those who were coloured or "primitive"; they felt fully justified, as of right, to assume moral responsibility and leadership and to bestow civilization on "uncivilized" peoples.

Dr. Bolt writes on Victorian attitudes towards Africa, India and Jamaica, and on the United States when the slave was made free. The silly irrational prejudices of layman and scientist alike are both laid bare. Man tends to be the victim of his own environment and to adopt the views and prejudices with which he is nurtured, hence no doubt, the generality with which Victorian opinions were accepted. But there were exceptions to the rule and, if only tenuous at times, a thread of liberal thought survived.

TROPICAL DEVELOPMENT 1880-1913; STUDIES IN ECONOMIC PROGRESS, Ed. W. ARTHUR LEWIS; *George Allen and Unwin,* 1971; tables; index; pp. 346; £1.25.

Sir Arthur Lewis introduces eleven essays prepared by members of his graduate seminar at Woodrow Wilson College in 1967-8. Three concern Latin America, one each North, West and East Africa, four Asia (including the Philippines). The period covered is one in which steam finally and completely replaced sail as the carrier of the world's exports; expanding capacity brought expanding exports to the expanded economies of the industrialised world. Areas of the (now) Third World became major producers of needed primary products on a large scale: cotton from Uganda, rubber from Brazil, coffee from Colombia and Venezuela (the latter not yet an oil producer), cocoa and palm oil from West Africa, tea and jute from India, tobacco from the Philippines. Plantation agriculture on a great scale developed in many lands. This useful volume provides, randomly chosen, a picture of the start to modern economic development in an interesting cross-section of geographical areas. One is left conjuring to what extent vast expenditure on World War I inhibited the capital investment overseas that might have stimulated a more general and lasting economic growth in the inter-war years with their grim long period of depression.

THE DEPARTMENT'S STORY – A HISTORY OF THE DEPARTMENT OF AGRICULTURE, by D. HOGAN; *Institute of Public Administration, Dublin;* plates, appendices, index; pp. 304; £3.75.

The modern department of Agriculture based in Dublin came into being in 1900. Its existence has spanned the life of the author who died shortly after completing this volume.

The increased importance attached to agriculture by successive Irish governments can be judged from the steadily increased financial allocations made to the department: 1928/29 half a million pounds, 2.3 per cent of the national budget; £4.75M in 1950 in a budget of £70.5M; £23.6M (31M with supplementaries) in a budget of £186M – topping 16 per cent. The department can certainly be proud of its achievements: decreased tillage, yet increased production; decreased labour force, increased stock and stock-yields; new grass and techniques at last put into effect and accepted by farmers. The process continues towards the goals Horace Plunkett (who inspired the co-operative movement and virtually co-founded the agricultural department) of "better farming, better business, better living".

CONSTITUTIONAL CHANGE IN THE BRITISH WEST INDIES – 1880/1903, by H. A. WILL; *Clarendon Press; Oxford University Press,* 1971; pp. 331; £4.00.

Mr. Will studies the pressures for constitutional change which arose in British Guiana, Trinidad and Jamaica at the close of the last century. The power of the planters was ebbing and whereas they had pressed for unofficial majorities in the legislatures when they knew they could control these bodies, they tended to support "pure" Crown Colony rule when their own power had decreased. This may be a reason why West Indian islands with their own Legislative Assemblies of very long standing, came so slowly to independence cf the dependencies on the continent of Africa.

Mr. Will examines the growing influence of the new educated élite on the islands - lawyers, editors and the like who ever increasngly stood counter to the planters; he explains how "pure" Crown Colony rule replaced that with unofficial majorities in the Assemblies, as a means of providing a greater degree of justice for the emancipated poor – a case of reactionary being progressive. There is study in depth of the Whitehall Colony relationship and the causes and effects of the agitation for reform that took place in the West Indian islands nearly a century ago.

Printed in England for HER MAJESTY'S STATIONERY OFFICE
by Trafford Press Ltd., Manchester M16 9HP

Dd. No. 500921 K17 10/71.

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